

FINAL

AMENDED  
September 2, 2014

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2014, Legislative Day No. 34

Bill No. 55-14

Introduced by Mr. Grasso, Chairman  
(by request of the County Executive)

By the County Council, July 21, 2014

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Introduced and first read on July 21, 2014  
Public Hearing set for and held on September 2, 2014  
Bill AMENDED and VOTED ON September 2, 2014  
Bill Expires October 24, 2014

By Order: Elizabeth E. Jones, Administrative Officer

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A BILL ENTITLED

1 AN ORDINANCE concerning: the issuance, sale and delivery of Anne Arundel County,  
2 Maryland, general obligation bonds and bond anticipation notes  
3

4 FOR the purpose of authorizing the issuance by Anne Arundel County, Maryland, of bond  
5 anticipation notes in an amount to be outstanding at any time not in excess of Five Hundred  
6 Sixty-Nine Million Two Hundred Eighty-Seven Thousand One Hundred Dollars (\$569,287,100)  
7 and bonds in an amount not exceeding One Billion Thirteen Million One Thousand One Hundred  
8 Seventeen Dollars (\$1,013,001,117) in order to finance in whole or in part the construction of  
9 capital projects set forth in the capital budget of the County for the fiscal year ending June 30,  
10 2015, or in such capital budgets for prior fiscal years, or usable portions thereof; authorizing the  
11 issuance by the County of refunding bonds to refund some or all of the outstanding bond issues  
12 of the County listed on Exhibit II attached hereto and incorporated herein in an aggregate  
13 principal amount not to exceed 120% of the aggregate principal amount of the outstanding bonds  
14 to be refunded subject to the requirement that debt service savings shall be achieved in  
15 connection with any such refunding; authorizing the County to borrow money and incur  
16 indebtedness otherwise authorized to be borrowed and incurred hereunder in the form of bonds  
17 or bond anticipation notes by obtaining a loan or loans from the Maryland Water Quality  
18 Financing Administration pursuant to and in accordance with Sections 9-1601 to 9-1622,  
19 inclusive, of the Environment Article of the Annotated Code of Maryland (2007 Replacement  
20 Volume and 2013 Supplement) for the public purpose of financing a portion of the costs of  
21 acquiring, constructing and equipping certain wastewater facilities and water supply systems;  
22 providing for the execution and delivery by the County of a loan agreement and bond to evidence  
23 any such loan; reaffirming and clarifying the guides and standards relating to the borrowing of  
24 money to finance such capital projects heretofore  
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EXPLANATION: Underlining indicates amendments to bill.

~~Strikeover~~ indicates matter stricken from bill by amendment.

1 adopted; listing the capital projects to be financed in whole or in part from the proceeds of  
2 sale of the bonds hereby authorized, the usable portions, estimated costs and probable useful  
3 lives thereof; showing compliance with the limitations on the power of the County to incur  
4 indebtedness; providing for essential flexibility in the financing of such capital projects and  
5 the issuance of such bonds by authorization of such bond anticipation notes to be repaid from  
6 the proceeds of the sale of such bonds; prescribing the procedure for the issuance and sale of  
7 such bond anticipation notes and bonds; empowering the County Executive, or the Chief  
8 Administrative Officer if authorized by the County Executive, subject to such guides and  
9 standards, to determine the time and method of sale of such bond anticipation notes and  
10 refunding bonds, which sale may be a private (negotiated) sale or a public sale, and the time,  
11 place, and procedure for the public sale of such bonds other than refunding bonds;  
12 empowering the County Executive, or the Chief Administrative Officer if authorized by the  
13 County Executive, subject to such guides and standards, to determine the forms of such  
14 bonds and to determine the forms of such bond anticipation notes; empowering the County  
15 Executive, or the Chief Administrative Officer if authorized by the County Executive, to  
16 provide for or determine the private (negotiated) sale of any loan agreement or bond to the  
17 Maryland Water Quality Financing Administration, the form or forms thereof and other  
18 details with respect thereto and to the sales thereof; providing that such bond anticipation  
19 notes may be issued as notes in the nature of commercial paper and, in such event,  
20 authorizing the County Executive, or the Chief Administrative Officer if authorized by the  
21 County Executive, to determine various matters and to take various actions in connection  
22 with such issuance; providing that such bonds and bond anticipation notes may be issued as  
23 variable rate demand or similar obligations and, in such event, authorizing the County  
24 Executive, or the Chief Administrative Officer if authorized by the County Executive, to  
25 determine various matters and to take various actions in connection with such issuance;  
26 covenanting to appropriate sufficient revenues in each fiscal year following the issuance of  
27 such bonds to pay the maturing principal thereof and the interest thereon and to meet such  
28 appropriation either by revenues derived from self-liquidating projects or from the proceeds  
29 of ad valorem taxes, or a combination of the foregoing; pledging the full faith and credit of  
30 Anne Arundel County, Maryland, to the payment of the bonds and bond anticipation notes  
31 issued hereunder and the interest thereon, when due; providing that the pledge of the taxing  
32 power to secure such bonds and bond anticipation notes shall be subject to the limitation  
33 imposed by Section 710(d) of the County Charter, except in the case where refunding bonds  
34 are issued to refund bonds secured by the pledge of the full faith and credit and unlimited  
35 taxing power of the County; covenanting that the proceeds of such bonds, or any moneys  
36 which may be deemed to be proceeds, will not be used in a manner to cause such bonds to be  
37 arbitrage bonds; canceling, rescinding, and repealing authority to issue certain bonds only to  
38 the extent such authority has not been previously exercised under ~~Bills No. 1-71, 82-71, 93-~~  
39 ~~72, 139-72, 140-72, 95-73, 71-74, 112-74, 80-75, 91-76, 86-77, 63-78, 98-79, 114-80, 128-~~  
40 ~~81, 107-82, 58-83, 65-84, 46-85, 60-86, 45-87, 50-88, 39-89, 47-90, 41-91, 52-91, 13-92, 60-~~  
41 ~~92, 69-93, 68-94, 43-95, 68-96, 53-97, 50-98, 53-99, 40-00, 57-01, 65-02, 40-03, 49-04, 53-~~  
42 ~~05, 60-06, 55-07, 57-08, 51-09, 53-10, 52-11, 60-12 and 63-13~~ all Bill No. 63-14, as  
43 amended, and providing that certain bonds and bond anticipation notes may continue to be  
44 issued under Bill No. 53-97, Bill No. 50-98, Bill No. 53-99, Bill No. 40-00, Bill No. 57-01,  
45 Bill No. 65-02; Bill No. 40-03, Bill No. 49-04, Bill No. 53-05, Bill No. 60-06, Bill No. 55-  
46 07, Bill No. 57-08, Bill No. 51-09, Bill No. 53-10, Bill No. 52-11, Bill No. 60-12, and Bill No.  
47 63-13 and ratifying, confirming and validating the previous authorization, issuance, sale and  
48 delivery of bonds and bond anticipation notes pursuant to such authority; authorizing the  
49 execution and delivery of long-term Anne Arundel County, Maryland general obligations in  
50 the form of installment purchase agreements in the maximum aggregate principal amount of  
51 Five Million Two Hundred Eighty-Seven Thousand Eighty-Four Dollars (\$5,287,084) in  
52 accordance with Section 12-902 of the Local Government Article of the Annotated Code of

1 Maryland (2013 Replacement Volume), to effect the acquisition by the County of certain  
2 development rights easements in accordance with the County's Agricultural Land and  
3 Woodland Preservation Program; ratifying and authorizing the issuance of Shore Erosion  
4 Control Construction Loans pursuant to and in accordance with Sections 8-1001 to 8-1008,  
5 inclusive, of the Natural Resources Article of the Annotated Code of Maryland (2012  
6 Replacement Volume and 2013 Supplement) and generally providing for the consolidation  
7 and authorization of a borrowing program for Anne Arundel County, Maryland, and matters  
8 generally related thereto.  
9

10 SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland,* That  
11 in connection with the issuance of the bonds hereinafter authorized, (i) the STATEMENT OF  
12 POLICY adopted by Bill No. 70-66 is hereby reaffirmed as it applies to the issuance of the bonds  
13 authorized hereby, and as clarified herein, and restated below as so clarified, for the information  
14 of the public and for the guidance of the County Executive or the Chief Administrative Officer,  
15 as the case may be, in exercising the authority hereby conferred on him, and (ii) the following  
16 FINDINGS OF FACT are hereby adopted for the purpose of demonstrating compliance with the  
17 requirements and limitations of the County Charter on the borrowing of money and the issuance  
18 of bonds by Anne Arundel County, Maryland, in evidence thereof:  
19

20 STATEMENT OF POLICY  
21

22 (1) It is essential that the County continue to provide, in timely fashion, the public facilities  
23 necessary to serve its population, which has increased significantly in recent years, while at the  
24 same time retaining and supporting substantial rural and agricultural elements of the County's  
25 economy which enable the County to enjoy the benefits of a balanced and diverse economy. All  
26 or a portion of the cost of such facilities will have to be financed through the borrowing of  
27 money by the County on a reasonably long term basis in order that the burden of such cost may  
28 be equitably apportioned among present and future taxpayers. However, it is equally essential  
29 that the credit standing of Anne Arundel County, Maryland, be preserved and, if possible,  
30 improved to the end that the cost of borrowing money by the County will not be unduly  
31 burdensome. To aid in achieving these basic objectives, the County Executive or the Chief  
32 Administrative Officer, as the case may be, shall, to the maximum extent possible, exercise the  
33 authority hereby conferred upon him within the following guidelines as well as within the fixed  
34 limitations prescribed herein and in the County Charter.  
35

36 (2) Sale of bonds hereunder shall be spaced at least six (6) months apart when practicable;  
37 provided, however, that bonds may be sold hereunder at such other intervals as the County  
38 Executive, or the Chief Administrative Officer, as the case may be, may deem advisable due to  
39 financial or market conditions prevailing at the time.  
40

41 (3) To provide an adequate flow of funds for capital projects, to limit amounts borrowed to  
42 the costs incurred for such projects, and to facilitate the selection of the most advantageous times  
43 for the sale of bonds, bond anticipation notes may be sold for such projects from time to time,  
44 repayable from the proceeds of the appropriate series of such bonds, when issued.  
45

46 (4) The authority hereby conferred shall be so exercised that the estimated maximum annual  
47 debt service obligation resulting therefrom plus current debt service payable by the County on  
48 outstanding obligations does not exceed an amount equal to twenty percent (20%) of the  
49 estimated net amount of all direct and indirect revenues of the County for the current fiscal year,  
50 including utility revenues, calculated by subtracting from gross revenues all debt service  
51 withheld or to be withheld by the State or any agency thereof during such fiscal year.

1 (5) All bonds issued and sold by the County hereunder shall be unconditional general  
2 obligation bonds of the County within the limitations of indebtedness set forth below as  
3 prescribed by the County Charter and the ordinances enacted pursuant thereto. Before any such  
4 bonds are issued for revenue producing projects of water or wastewater utilities, the County  
5 Executive, or the Chief Administrative Officer if authorized by the County Executive, shall  
6 determine that the estimated revenues of such projects, or the actual and estimated revenues of  
7 such projects and the utilities of which they are a part, are, or will be, sufficient to pay the cost of  
8 operation and maintenance of such projects and the maturing principal of and interest on all  
9 indebtedness incurred with respect thereto, including such bonds. The authorization herein of  
10 general obligation bonds of the County for revenue producing projects shall not be construed to  
11 preclude the County Council from authorizing in the future the issuance of bonds payable solely  
12 from the revenues of similar projects or utilities.

13  
14 (6) The foregoing STATEMENT OF POLICY shall constitute the local debt policy of the  
15 County required by Section 17-207 of the Local Government Article of the Annotated Code of  
16 Maryland (2013 Replacement Volume).

17  
18 FINDINGS OF FACT

19  
20 I

21  
22 With respect to the maximum amount of bonds and bond anticipation notes of the County  
23 hereinafter authorized, it is hereby found and determined that such amount is within applicable  
24 debt limitations, as follows:

25  
26 (1) With regard to the General County Debt Limitation (defined below):

27  
28 (a) That the taxable assessed value of all real and personal property in Anne Arundel  
29 County, Maryland, subject to unlimited county taxation (except by application of Section 710(d)  
30 of the County Charter) as of May 31, 2014 is \$76,534,220,514 consisting of an assessable basis  
31 of real property of \$74,394,428,954 and an assessable basis of personal property and operating  
32 real property described in Section 8-109(c) of the Tax-Property Article of the Annotated Code of  
33 Maryland (2012 Replacement Volume and 2013 Supplement) of \$1,272,971,630 and  
34 \$866,819,930 respectively, and, in each case, is expected to be no less than such amount for the  
35 fiscal year ending June 30, 2015.

36  
37 (b) That, in accordance with Section 10-203 of the Local Government Article of the  
38 Annotated Code of Maryland (2013 Replacement Volume), and in accordance with Section 4-10-  
39 101(a) of Article 4, Finance, Taxation, and Budget of the Anne Arundel County Code the  
40 aggregate amount of the indebtedness of the County outstanding at one time shall not exceed (I)  
41 5.2% of the assessable basis of real property; (II) 13% of the County's assessable basis of  
42 personal property; and (III) 13% of the operating real property described in Section 8-109(c) of  
43 the Tax-Property Article of the Annotated Code of Maryland (2012 Replacement Volume and  
44 2013 Supplement) (the "General County Debt Limitation"); provided, however that (i) tax  
45 anticipation notes or other evidences of indebtedness having a maturity not in excess of twelve  
46 months, (ii) bonds or other evidences of indebtedness issued or guaranteed by the County  
47 payable primarily or exclusively from taxes levied or other revenues of special taxing districts  
48 and (iii) bonds or other evidences of indebtedness issued for self-liquidating and other projects  
49 payable primarily or exclusively from the proceeds of assessments or charges for special benefits  
50 or services, including bonds or other evidences of indebtedness issued for water or wastewater  
51 facilities, are not subject to, or required to be included as bonds or evidences of indebtedness in  
52 computing or applying the General County Debt Limitation.

1 (c) That the maximum amount of outstanding debt permitted under the General County  
2 Debt Limitation is \$4,146,683,208 as of May 31, 2014, and is expected to be no less than such  
3 amount for the fiscal year ending June 30, 2015.  
4

5 (d) That the total outstanding bonded debt of the County subject to the General County  
6 Debt Limitation is \$1,053,040,000 as of May 31, 2014, ~~taking into account a reduction for~~  
7 ~~principal payments paid for the balance of the fiscal year~~, and including, for purposes of this  
8 presentation, the outstanding Special Obligation Refunding Bonds (Arundel Mills Project),  
9 Series 2014, the outstanding Special Obligation Refunding Bonds (National Business Park  
10 Project), Series 2014, the outstanding Tax Increment Refunding Bonds (Nursery Road Project),  
11 Series 2014, the outstanding Special Obligation Bonds (National Business Park – North Project),  
12 Series 2010, the Special Obligation Bonds (Village South at Waugh Chapel Project), Series  
13 2010, the outstanding Consolidated Golf Course Projects Series, 2005, and the outstanding Tax  
14 Increment Financing Bonds (Parole Town Center Project), Series 2002.  
15

16 (e) That the permissible borrowing capacity is \$3,093,643,208 as of May 31, 2014.  
17

18 (f) That the bonds authorized by this Ordinance subject to the General County Debt  
19 Limitation aggregate \$644,534,576 (for the purposes of stating such amount, the amount of  
20 refunding bonds authorized by this Ordinance has been reduced by the aggregate principal  
21 amount of bonds authorized to be refunded, as required by Section 19-207 of the Local  
22 Government Article of the Annotated Code of Maryland (2013 Replacement Volume) and, in  
23 addition, the aggregate amount of bonds authorized to be refunded is determined as of the date  
24 set forth on Exhibit II attached hereto.  
25

26 (g) That in stating the total outstanding debt in (1)(d) above, debt in the amount of  
27 \$28,490,713 for self-liquidating solid waste projects, \$7,300,000 for self-liquidating watershed  
28 protection and restoration projects, \$19,470,000 for self-liquidating recreation and parks  
29 projects and \$18,981,615 for impact fee revenue projects was included, and in stating the debt  
30 subject to the General County Debt Limitation in 1(f) above, debt in the amount of \$28,807,229  
31 for self-liquidating solid waste projects, \$153,347,100 for self-liquidating watershed protection  
32 and restoration projects, as well as \$3,894,000 for self-liquidating recreation and parks projects  
33 and debt in the amount \$3,796,323 for General County, Education, Fire and Police, and Roads  
34 and Bridges Impact Fee projects was included; such presentation of debt for self-liquidating solid  
35 waste projects, self-liquidating watershed protection and restoration projects, self-liquidating  
36 recreation and parks projects and impact fee revenue projects is made herein to provide a  
37 conservative statement of indebtedness that evidences compliance with the General County Debt  
38 Limitation.  
39

40 (2) With regard to the Water and Wastewater Debt Limitation (as defined below):  
41

42 (a) That the taxable assessed value of all real and personal property within the Sanitary  
43 District of Anne Arundel County subject to unlimited County taxation (except by application of  
44 Section 710(d) of the County Charter) as of May 31, 2014 is \$70,377,408,588 consisting of an  
45 assessable basis of real property of \$68,391,651,398 and an assessable basis of personal property  
46 and operating real property described in Section 8-109(c) of the Tax-Property Article of the  
47 Annotated Code of Maryland (2012 Replacement Volume and 2013 Supplement) of  
48 \$1,182,882,750 and \$802,874,440, respectively, and, in each case is expected to be no less than  
49 such amount for the fiscal year ending June 30, 2015.

50 (b) That, bonds formerly issued under the Sanitary Commission Act, and bonds of the  
51 County issued for water and wastewater facilities, which are payable primarily from assessment  
52 of charges for special benefits and services are exempted from the limitations outlined in

1 subparagraph (1)(b) above. Section 4-10-103(d) of Article 4, Finance, Taxation, and Budget of  
2 the Anne Arundel County Code, limits the amount of such bonds, after crediting applicable  
3 Sinking Fund balances, which may be outstanding to not greater than (I) 5.6% of the County's  
4 assessable basis of real property; (II) 14% of the County's assessable basis of personal property;  
5 and (III) 14% of the operating real property described in Section 8-109(c) of the Tax-Property  
6 Article of the Annotated Code of Maryland (2012 Replacement Volume and 2013 Supplement)  
7 (the "Water and Wastewater Debt Limitation").  
8

9 (c) That the maximum amount of outstanding debt permitted under the Water and  
10 Wastewater Debt Limitation is \$4,107,938,485 as of May 31, 2014, and is expected to be no less  
11 than such amount for the fiscal year ending June 30, 2015.  
12

13 (d) That the total outstanding bonded debt of the County subject to the Water and  
14 Wastewater Debt Limitation is \$480,422,521 as of May 31, 2014.  
15

16 (e) That the permissible borrowing capacity is \$3,627,515,964 as of May 31, 2014.  
17

18 (f) That the bonds authorized by this Ordinance subject to the Water and Wastewater  
19 Debt Limitation aggregate \$654,950,045 (for the purposes of stating such amount, the amount of  
20 refunding bonds authorized by this Ordinance has been reduced by the aggregate principal  
21 amount of bonds authorized to be refunded, as required by Section 19-207 of the Local  
22 Government Article of the Annotated Code of Maryland (2013 Replacement Volume)).  
23

24 II  
25

26 (1) The bond anticipation notes authorized by Section 6 hereof and bonds authorized by  
27 Section 2 hereof are to be issued to finance in whole or in part certain of the capital projects or  
28 classes of projects included in the capital budget for the fiscal year 2015, or in capital budgets for  
29 prior fiscal years. With respect to such projects the amount of borrowed funds to be expended  
30 thereon, together with the funds shown as available from other sources, are estimated to be  
31 sufficient to complete usable portions thereof, but if any such funds from other sources, intended  
32 to defray in part the cost of any such project, shall become unavailable, the County Executive  
33 shall either (i) direct the abandonment of any such project if, in his judgment, the unavailability  
34 of funds from other sources would render any such project unusable or (ii) recommend an  
35 appropriate amendment of the Capital Budget, as provided in Sections 711 and 716 of the County  
36 Charter. The balances remaining to the credit of a completed or abandoned capital project for  
37 which bond anticipation notes or bonds have been issued shall be available for appropriation by  
38 the County Council in a subsequent capital budget, as provided in the Charter.  
39

40 (2) No series of bond anticipation notes authorized by Section 6 hereof or bonds authorized  
41 by Section 2 hereof shall be issued hereunder with a final maturity date extending beyond the  
42 expiration of the probable useful life, or the average probable useful lives, of the capital project  
43 or projects for which such series of bond anticipation notes or bonds are issued, accounting from  
44 the date of issue of such series of bond anticipation notes or bonds. The provisions of Section  
45 2(5) hereof shall apply to the consolidation of series of bonds as permitted therein.  
46

47 (3) No series of refunding bonds authorized by Section 3 hereof shall be issued hereunder  
48 with a final maturity date extending beyond the earliest to occur of (i) the thirtieth (30<sup>th</sup>)  
49 anniversary of the date of issuance of the bonds to be refunded from the proceeds of the  
50 refunding bonds being issued (the "Refunded Bonds") and (ii) the latest maturity date that would  
51 have been permitted for the Refunded Bonds. Prior to the delivery of any refunding bonds  
52 hereunder, the County Executive, or the Chief Administrative Officer if authorized by the County

1 Executive, shall deliver a written certificate stating that the maturity schedule of any series of  
2 refunding bonds issued hereunder complies with the requirements set forth in this paragraph and  
3 setting forth the facts upon which such conclusion is based.  
4

5 (4) The table attached to this Ordinance as Exhibit I and incorporated herein lists the capital  
6 projects, appearing in the capital budget of the County for fiscal year 2015, or in the capital  
7 budgets for prior fiscal years, which are to be financed in whole or in part with the proceeds of  
8 bond anticipation notes authorized by Section 6 hereof, bonds authorized by Section 2 hereof,  
9 with the reallocation of balances remaining to the credit of completed or abandoned capital  
10 projects for which bond anticipation notes or bonds were previously issued or for which funds  
11 were previously provided from other sources or bond premium, consisting of net bond proceeds  
12 from the sale of bonds sold at a price above par, the estimated cost of a usable portion of each  
13 project or class of projects, including capitalized interest on borrowed funds as herein authorized,  
14 the portion of such costs of each project or class of projects to be financed hereunder, the source  
15 or sources of funds to finance the balance of the cost of each such project or class of projects,  
16 and the probable useful life of each such project or the average of the probable useful lives of  
17 each class of projects. Totals listed in Exhibit I may not foot due to rounding. Further, the first  
18 group of projects included in Exhibit I are those which are not revenue producing, and a second  
19 group of projects are those which it is estimated will generate or have available net revenues  
20 sufficient to pay all or a portion of debt service on the borrowing therefore. In lieu of issuing all  
21 or any part of the bonds or bond anticipation notes authorized to be issued by Sections 2 and 6,  
22 respectively, of this Ordinance to finance all or part of a capital project, the County Executive, or  
23 the Chief Administrative Officer if authorized by the County Executive, may, at his discretion  
24 apply to such project balances remaining to the credit of any completed or abandoned capital  
25 projects for which bond anticipation notes or bonds were previously issued or for which funds  
26 were previously provided from other sources, but only to the extent that bond anticipation notes  
27 or bonds are authorized to be issued therefor in this Ordinance, such expenditure of such  
28 balances or bond premium being within the appropriation established for such project in the  
29 applicable capital budget or budgets; provided, however, that such balances or bond premium  
30 shall not be applied in a manner that would adversely affect the exemption from federal income  
31 taxation of the interest on any bonds to which such balances are attributable.  
32

33 (5) Bond premium generated from the issuance of any County bonds shall be expended on  
34 capital improvements in accordance with Section 720(b) of the County Charter and as otherwise  
35 prescribed by law.  
36

37 (6) Without limitation, participation by the County in any county transportation bonds issued  
38 by the Maryland Department of Transportation shall not result in any reduction in the amount of  
39 bonds or bond anticipation notes authorized and deemed to be unissued under this Ordinance.  
40

41 SECTION 2. *And be it further enacted,* That for the purpose of paying the portion of the  
42 cost of the capital projects described in Section 1 hereof and Exhibit I hereto, to be paid from  
43 borrowed funds, or for the purpose of redeeming bond anticipation notes issued hereunder, the  
44 issuance and sale by Anne Arundel County, Maryland, of not exceeding One Billion Thirteen  
45 Million One Thousand One Hundred Seventeen Dollars (\$1,013,001,117) aggregate principal  
46 amount of general obligation, serial maturity bonds of the County is hereby authorized. To the  
47 extent required for such purposes, the bonds hereby authorized shall be sold prior to June 30,  
48 2017, in accordance with the guides and standards set forth in Section 1 hereof, except that any  
49 such bonds may be sold subsequent to such date if required to redeem, prepay or pay at maturity  
50 bond anticipation notes. Such bonds shall be issued as registered bonds without coupons in the  
51 denomination of five thousand dollars (\$5,000) or any integral multiple thereof within the limits  
52 of specified serial maturities.

1 (1) Except as otherwise provided in this Ordinance, the bonds authorized by this Section 2  
2 shall be sold at a sale price at, above, or below par, plus accrued interest to the date of delivery  
3 and only after first soliciting competitive bids at public sale in accordance with the provisions of  
4 Section 5 hereof. Such bonds are hereby specifically exempted from the provisions of Sections  
5 19-205 and 1-206 of the Local Government Article of the Annotated Code of Maryland (2013  
6 Replacement Volume).

7  
8 (2) Subject to the provisions of subsection (5) of this Section, such bonds shall be issued in  
9 series intended to identify the public purpose or purposes for which each series is issued. On  
10 each bond, there shall appear the words "\_\_\_\_\_ Series, 20\_\_" and in the blank space  
11 preceding the word "Series," there shall be inserted the par amount of the series plus the public  
12 purpose of such series; e.g., "Board of Education," "Library," "Recreation and Parks," "Water  
13 and Sewer", and "Watershed Protection and Restoration". The County Executive, or the Chief  
14 Administrative Officer if authorized by the County Executive, may incorporate such additional  
15 designations in the name of the series as he deems necessary or convenient to distinguish two or  
16 more series issued for the same purpose within the same calendar year.

17  
18 (3) The bonds of each series shall be dated on or prior to the date of the delivery of such  
19 series and shall be numbered as determined by the County Executive, or the Chief Administrative  
20 Officer if authorized by the County Executive. The bonds of each series, or of successive series  
21 for the same public purpose, shall mature and be payable under an annual installment plan which  
22 may be implemented by the issuance of serial maturity bonds or term bonds having mandatory  
23 sinking fund requirements, beginning not later than the second anniversary of such series, or of  
24 the first series of a group, and concluding on or before (a) the 30th anniversary thereof or (b)  
25 such anniversary next prior to or on the 30th anniversary of the first bond anticipation note of  
26 such series, whichever shall be earlier, or (c) the anniversary of such series representing the end  
27 of the probable useful life, or the average of the probable useful lives of the project or projects to  
28 be financed with the proceeds of such series, if such life or average lives shall be less than the  
29 maximum term authorized in (a) or (b) of this subsection.

30  
31 (4) Prior to the issue of any series of bonds authorized by this Section 2, the County  
32 Executive, or the Chief Administrative Officer if authorized by the County Executive, shall cause  
33 to be prepared a statement showing the annual debt service requirements of the County and a  
34 proposed schedule of annual maturities for the series or several series of bonds then to be issued  
35 and sold and an estimate of the annual interest charges to be incurred with respect to such bonds,  
36 based on then-prevailing interest costs. Such debt service schedule shall be so prepared with a  
37 view of achieving reasonably equal annual debt service payments for the entire outstanding  
38 bonded indebtedness of the County and, in order to achieve this result, the consecutive annual  
39 debt service payments on account of any series of such bonds need not be equal.  
40 Notwithstanding the foregoing, the debt service schedule for the entire outstanding bonded  
41 indebtedness of the County may be structured to retire debt at a rate faster than would be utilized  
42 to achieve reasonably equal annual debt service payments. As hereinafter provided, the County  
43 Executive, or the Chief Administrative Officer if authorized by the County Executive, is vested  
44 with the discretion to accept such schedule of maturities or to make such variations therein as to  
45 him may seem in the best interests of the County.

46 (5) The County Executive, or the Chief Administrative Officer if authorized by the County  
47 Executive, may provide that all or any portion of bonds sold pursuant to the authority of this  
48 Section 2 at any one time to finance capital projects may be consolidated for sale and issued, sold  
49 and delivered as a single issue or consolidated series of bonds to be designated "Consolidated  
50 General Improvements Series, 20\_\_," without identifying by separate series each public purpose  
51 for which the bonds are issued as elsewhere provided in this Ordinance; provided that: (a) the  
52 provisions of this Ordinance requiring the identification of each group or series of bonds by the



1 public purpose for which it is issued (e.g., "Board of Education," "Libraries," etc.) shall be fully  
2 complied with for accounting purposes, (b) bonds issued to finance water and wastewater  
3 projects shall be issued as a separate consolidated issue, (c) bonds issued to finance solid waste  
4 projects, identified on Exhibit I as Self-Liquidating Bonds—Solid Waste, bonds issued to finance  
5 watershed protection and restoration projects, identified on Exhibit I as Self-Liquidating  
6 Bonds—Watershed Protection and Restoration and bonds issued to evidence a loan from the  
7 Maryland Water Quality Financing Administration may be issued as separate issues, and (d)  
8 prior to the delivery of the bonds, the County Executive, or the Chief Administrative Officer if  
9 authorized by the County Executive, shall deliver a written certificate stating (i) the public  
10 purpose of each series of bonds included in the consolidated issue, (ii) the maturity schedule for  
11 each series of bonds so identified as a separate public purpose, (iii) the consolidated maturity  
12 schedule and (iv) that the maximum maturity of the bonds consolidated for issue as a single  
13 consolidated issue is not greater than the end of the probable useful life or the average of the  
14 probable useful lives, as the case may be, of the project or projects to be financed with the  
15 proceeds of such consolidated issue. A "Consolidated General Improvements Series" shall be  
16 treated as a separate series of bonds for purposes of numbering pursuant to this Ordinance. In  
17 the event that all or any portion of any bonds issued pursuant to this Section at the same time are  
18 consolidated, the title or designation of the remaining series of bonds issued at the same time  
19 may also be designated as a "consolidated" issue (e.g. "Consolidated Water and Sewer Series, 20  
20 \_\_", "Consolidated Solid Waste Projects Series, 20\_\_", "Consolidated Watershed Protection and  
21 Restoration Series, 20\_\_"). Before any bonds are issued as part of a separate series to finance  
22 solid waste projects identified on Exhibit I as Self-Liquidating Bonds—Solid Waste, a  
23 determination must be made regarding such projects or the utility of which they are a part similar  
24 to the determination required in Paragraph (5) of the Statement of Policy in Section 1 with regard  
25 to bonds issued for revenue projects of water or wastewater utilities. Before any bonds are  
26 issued as part of a separate series to finance watershed protection and restoration projects, as  
27 applicable, identified on Exhibit I as Self-Liquidating Bonds—Watershed Protection and  
28 Restoration, a determination must be made that net revenues will be available sufficient to pay  
29 the debt service payable from the Watershed Protection and Restoration Special Revenue Fund  
30 established under Section 4-11-119 of Article 4, Finance, Taxation and Budget of the Anne  
31 Arundel County Code, taking into account that the County may from time to time contribute  
32 additional funds in support of the purposes described in Section 4-11-119(c) of Article 4,  
33 Finance, Taxation, and Budget of the Anne Arundel County Code. The County Executive, or the  
34 Chief Administrative Officer if authorized by the County Executive, is hereby authorized to  
35 make such changes in the forms of bonds, notice of sale, proposal and other documents in  
36 connection with any issue of bonds pursuant to this Section 2 as such County Executive or Chief  
37 Administrative Officer, as the case may be, may deem necessary or desirable in order to effect  
38 the consolidation and naming of bonds authorized hereby.

39  
40 (6) All of (a) the bonds authorized by this Section 2, (b) bond anticipation notes authorized  
41 by Section 6 hereof and (c) Refunding Bonds authorized by Section 3 hereof which are issued to  
42 refund Refunded Bonds secured as unconditional general obligations of the County, shall all be  
43 deemed and shall constitute unconditional general obligations of the County, to the payment of  
44 which, both principal and interest, its full faith and credit are pledged. Subject to the following  
45 provisions, the County hereby covenants that, in each fiscal year during which any such bonds  
46 are outstanding, it will appropriate sufficient funds in each Current Expense Budget to pay the  
47 principal of such bonds and the interest thereon due in such fiscal year. The County hereby  
48 further covenants that, to the extent any such appropriation is not offset by funds from other  
49 sources or by project revenues, it will, subject to the limitation on the tax levy set out in  
50 Section 710(d) of the County Charter, fund any such appropriation by the levy of ad valorem  
51 taxes on real estate, tangible personal property and intangible personal property subject to

1 taxation by the County, and in addition, on such other intangible property as may be subject to  
2 taxation by the County within limitations prescribed by law.

3  
4 In the case of any series of bonds issued to finance self-liquidating projects of the County or  
5 of any Refunding Bonds issued to refund Refunded Bonds, the proceeds of which were used to  
6 finance self-liquidating projects of the County, the principal of and interest on any such bonds  
7 shall be payable primarily from the net revenues and receipts from such projects, or the utilities  
8 of which they form a part. If any such series of bonds shall be issued to finance such  
9 self-liquidating projects, then the County covenants to fix such rates and charges for the use of  
10 any such project, or the utility of which it forms a part, as will generate sufficient revenues to pay  
11 the annual cost of maintenance and operation thereof and to pay the maturing principal of and  
12 interest on any such series of bonds when due, and the County further covenants and agrees to  
13 apply such revenues against appropriations for such maintenance, operation and debt service in  
14 each Current Expense Budget. If any such series of bonds shall be issued to finance watershed  
15 protection and restoration projects, the County hereby pledges to apply amounts deposited from  
16 time to time in the Watershed Protection and Restoration Special Revenue Fund established  
17 under Section 4-11-119(b) of Article 4, Finance, Taxation, and Budget of the Anne Arundel  
18 County Code, to the payment of debt service on such series of bonds, provided, however, that if,  
19 in any fiscal year amounts on deposit in such fund exceeds the amount of debt service on such  
20 bonds or other bonds issued for like purposes due in such fiscal year, the County Council may  
21 apply all or any part of such excess to other lawful purposes. Interest on any bonds authorized  
22 by this Section 2 and bond anticipation notes authorized by Section 6 hereof falling due during  
23 the fiscal year ending June 30, 2015, may be capitalized and paid from the proceeds of sale, and  
24 in the annual Current Expense Budgets of the County for the fiscal years ending June 30, 2016  
25 and June 30, 2017, there shall be appropriated amounts sufficient to pay the interest accruing on  
26 any such bonds or notes then outstanding, or to be issued during such fiscal years, less the  
27 amount of interest capitalized, which, as to any such series of notes and bonds, shall not exceed  
28 twelve (12) months interest on such notes and bonds, respectively, or the amount of interest  
29 included in the cost of the capital projects to be financed with such series, whichever is smaller.

30  
31 Notwithstanding the foregoing, in accordance with Section 19-207 of the Local Government  
32 Article of the Annotated Code of Maryland (2013 Replacement Volume), in the case of any  
33 Refunding Bonds issued to refund Refunded Bonds secured as unconditional general obligations  
34 with a pledge of the full faith and credit and unlimited taxing power of the County, the County  
35 covenants that, to the extent any such appropriation to pay principal of or interest on such  
36 Refunding Bonds is not offset by funds from other sources or by project revenues, it will fund  
37 any such appropriations by the levy of ad valorem taxes on real estate, tangible personal property  
38 and intangible personal property subject to taxation by the County without limitation as to rate or  
39 amount, and in addition upon such other intangible property as may be subject to taxation by the  
40 County within limitations prescribed by law.

41  
42 Notwithstanding the foregoing, with respect to any Refunding Bonds issued to refund bonds  
43 for self-liquidating recreation and parks projects, the County covenants to fix rates and charges  
44 for the use of such project, or the utility of which it forms a part, to the extent practicable, as will  
45 generate sufficient revenues to pay the annual cost of maintenance and operation thereof and to  
46 pay the maturing principal of and interest on any such series of bonds when due, and the County  
47 further covenants to apply such revenues against appropriations for such maintenance, operation  
48 and debt service in each Current Expense Budget.

49  
50 (7) The rate or rates of interest payable on any series of bonds sold pursuant to this Section 2  
51 shall not exceed the maximum interest rate, if any, specified by the County Council by public  
52 local law to be payable on obligations of Anne Arundel County, Maryland, and, except with

1 respect to the first interest payment, which may be either a long or short coupon, and except as  
2 provided in Section 7 of this Ordinance in connection with the issuance and sale of Variable Rate  
3 Demand Obligations, such interest rate shall be payable in semi-annual installments, accounting  
4 from the date of issue of any such series of bonds. Interest on the bonds shall be payable by  
5 checks mailed by the Paying Agent therein named to the registered holder or holders of such  
6 bonds or, if such bonds shall be issued in the form of Variable Rate Demand Obligations, interest  
7 thereon may be payable by wire transfer at the discretion of the County Executive, or the Chief  
8 Administrative Officer if authorized by the County Executive. If the bonds are issued and sold in  
9 book-entry form, alternative payment arrangements may be provided at the discretion of the  
10 County Executive, or the Chief Administrative Officer if authorized by the County Executive.

11  
12 (8) The principal of the bonds authorized by this Section 2 shall be payable at the principal  
13 office of the Paying Agent therein named, unless the bonds are issued and sold in book-entry  
14 form, in which event alternative payment arrangements may be provided at the discretion of the  
15 County Executive, or the Chief Administrative Officer if authorized by the County Executive.

16  
17 (9) With respect to each series of bonds sold pursuant to this Section 2, authority is hereby  
18 conferred on the County Executive, or the Chief Administrative Officer if authorized by the  
19 County Executive, to take the following actions and make the following commitments on behalf  
20 of the County:

21  
22 (a) to determine the date, time and place when proposals for the purchase of any such  
23 series of bonds will be received, to publish and otherwise distribute, as prescribed in Section 5  
24 hereof, a suitable notice of sale of such bonds and to award any series of bonds for which a  
25 legally sufficient proposal has been received to the best bidder therefor, determined as provided  
26 in such Section 5; provided, however, that the County Executive, or the Chief Administrative  
27 Officer if authorized by the County Executive, may by written statement appoint a designee who  
28 may conduct the sale on his behalf and accept bids and award bonds to the best bidder;

29  
30 (b) to appoint a bank having trust powers, or a trust company, as Paying Agent for any  
31 such series of bonds, notwithstanding the fact that such bank or trust company may have neither  
32 its principal office nor any branch office within the County or the State of Maryland, and to  
33 appoint a similarly qualified bank or trust company as Alternate Paying Agent, such authority to  
34 include the power to agree with respect to the compensation of such Paying Agent and Alternate  
35 Paying Agent for the services to be rendered by them and to appoint one or more of such banks  
36 or trust companies as Bond Registrars and also to confer on the manager of the syndicate  
37 purchasing any such series of bonds the right to designate an Alternate Paying Agent so to be  
38 appointed;

39  
40 (c) to fix the schedule of annual maturities of any series of bonds and the maximum rate  
41 of interest payable thereon, both within the limitations prescribed above;

42  
43 (d) to employ, as financial advisor with respect to the sale of any series of bonds hereby  
44 authorized, a qualified firm of investment bankers having a municipal bond department, or some  
45 other firm or corporation specializing in the municipal bond field; to arrange, together with such  
46 financial advisor, for the preparation and distribution of an appropriate Offering Circular,  
47 Official Statement or Official Circular with respect to the sale of any such series of bonds,  
48 including (without limitation) the employment of a qualified financial printer to print such  
49 Offering Circular, Official Statement or Official Circular; and to allocate in his discretion the  
50 costs of employing such financial advisor and financial printer and the other costs of preparing  
51 and distributing such Offering Circular, Official Statement or Official Circular among the  
52 projects to be financed with the proceeds of any such series of bonds, as part of the costs thereof,

1 all such costs of employing such financial advisor and financial printer and all other costs of  
2 preparing and distributing such Offering Circular, Official Statement or Official Circular to be  
3 regarded as costs of specialized services of an unusual nature and not susceptible of being  
4 obtained through competitive bidding;

5  
6 (e) after considering any recommendations of such financial advisor, to reserve to the  
7 County the option to redeem any such series of bonds in whole or in part, at such times and upon  
8 payment of such premiums as such financial advisor may recommend;

9  
10 (f) to retain qualified bond counsel (such qualifications to be subject to approval by the  
11 County Attorney) to handle all legal proceedings with respect to the issue and sale of any such  
12 series of bonds and to pass on the validity thereof and to employ, if bonds are not issued and sold  
13 in book-entry form, or if otherwise deemed necessary by the County Executive, a qualified  
14 banknote company to print or engrave such bonds in accordance with established standards, and  
15 to allocate in his discretion the costs of retaining such counsel and employing such banknote  
16 company among the projects to be financed with the proceeds of any such series of bonds, as part  
17 of the costs thereof, all such costs of retaining such counsel and employing such banknote  
18 company to be regarded as costs of specialized services of an unusual nature and not susceptible  
19 of being obtained through competitive bidding; and

20  
21 (g) to provide for the issuance of bonds in book-entry form, to provide for the manner of  
22 payment of principal of and interest on bonds issued in book-entry form and to enter into  
23 appropriate agreements regarding the custody of bonds issued in book-entry form.

24  
25 SECTION 3. *And be it further enacted*, Acting pursuant to the authority of Section 10-203 of  
26 the Local Government Article of the Annotated Code of Maryland (2013 Replacement Volume),  
27 The Anne Arundel County Charter and Section 19-207 of the Local Government Article of the  
28 Annotated Code of Maryland (2013 Replacement Volume) (the "Refunding Act"), the issuance  
29 and sale of bonds of the County (the "Refunding Bonds") is hereby authorized for the purpose of  
30 refunding some or all of the outstanding issues of bonds of the County listed on Exhibit II  
31 attached hereto, as follows:

32  
33 (a) Refunding Bonds are hereby authorized to be issued to refund in whole or in part the  
34 respective several series of Anne Arundel County Consolidated General Improvements Series,  
35 Anne Arundel County Consolidated Water and Sewer Series and Anne Arundel County Water  
36 and Sewer Series, and Anne Arundel County Consolidated Solid Waste Projects Series,  
37 identified as to designation, date and aggregate outstanding principal amount on Exhibit II below  
38 (to the extent refunded hereby, the "Refunded Series"). The amount of any Refunding Bonds  
39 shall be reduced to take account of any principal payments made to such Refunded Series prior to  
40 such refunding. With respect to each Refunded Series, Refunding Bonds may be issued pursuant  
41 to this Ordinance in an aggregate principal amount sufficient to provide funds (a) to purchase  
42 direct obligations of, or obligations the timely payment of the principal and interest on which is  
43 unconditionally guaranteed by, the United States of America ("Government Obligations"), the  
44 principal of and interest on which will be sufficient without reinvestment or to provide cash  
45 sufficient, in either case, to pay in a timely manner all or any part of the principal of and  
46 redemption premium, if any, and interest on the bonds of such Refunded Series and, if so  
47 provided by the County Executive, or Chief Administrative Officer if authorized by the County  
48 Executive, pursuant to Section 3(6) of this Ordinance, a portion of the interest on the Refunding  
49 Bonds, and (b) to pay any and all other costs permitted to be paid from the proceeds of such  
50 bonds under the Refunding Act, including (without limitation) the costs of issuance of such  
51 bonds and applicable underwriting fees; provided, however, that the aggregate principal amount  
52 of Refunding Bonds issued to refund one or more Refunded Series shall not exceed 120% of the

1 principal amount of bonds of the Refunded Series so refunded. Proceeds of Refunding Bonds,  
2 including bond premium, consisting of net bond proceeds from the sale of bonds sold at a price  
3 above par, shall be applied for the purposes set forth above and as prescribed in the Refunding  
4 Act. Accordingly, bond premium, if any, derived from the sale of Refunding Bonds shall be  
5 applied as described above and shall not be subject to any requirement for expenditure on capital  
6 improvements.

7  
8 (b) The Refunding Bonds shall be issued and sold in the same manner as Bonds authorized  
9 by Section 2 hereof with the following exceptions and additions:

10  
11 (1) Refunding Bonds shall be sold at private (negotiated) sale, and such procedure is  
12 hereby determined to be in the public interest. Notwithstanding the foregoing, if the County  
13 Executive, or the Chief Administrative Officer if authorized by the County Executive,  
14 subsequently determines that it is in the best interests of the County to sell any or all of the  
15 Refunding Bonds after first soliciting competitive bids at public sale, then the County Executive  
16 or the Chief Administrative Officer, as the case may be, may sell such Refunding Bonds in such  
17 manner in accordance with such procedures as he shall deem appropriate; provided, however,  
18 that such procedures shall be substantially similar to the procedures set forth in Section 5 hereof.

19  
20 (2) Refunding Bonds issued hereunder are hereby specifically exempted from the  
21 provisions of Sections 19-205 and 19-206 of the Local Government Article of the Annotated  
22 Code of Maryland (2013 Replacement Volume).

23  
24 (3) Refunding Bonds authorized to be issued for the purposes specified above may be  
25 issued in series from time to time. Each such series shall identify the public purpose for which it  
26 is issued, by the printing on each bond of the words "Consolidated General Improvements Series,  
27 20\_\_ Refunding Series", "Consolidated Water and Sewer Series, 20\_\_ Refunding Series," or  
28 "Consolidated Solid Waste Projects Series, 20\_\_ Refunding Series," as the case may be. The  
29 County Executive, or the Chief Administrative Officer if authorized by the County Executive,  
30 may incorporate such additional designations in the name of the series as he deems necessary or  
31 convenient to distinguish two or more series issued for the same purpose within the same  
32 calendar year.

33  
34 (4) The bonds of each series, or of successive series for the same public purpose, shall  
35 mature and be payable under an annual Installment Plan which may be implemented by the  
36 issuance of serial maturity bonds or term bonds having mandatory sinking fund requirements,  
37 beginning not later than the second anniversary of such series, or of the first series of a group,  
38 and concluding on or before (a) the thirtieth (30th) anniversary of the Refunded Bonds to be  
39 refunded from the proceeds of such Series or (b) the final maturity date permitted for such series  
40 under Paragraph 3 of Section II of the FINDINGS OF FACT set forth in Section 1 of this  
41 Ordinance, whichever shall be earlier. In the event that bonds of more than one Series of  
42 Refunded Bonds are refunded by a single series of Refunding Bonds, compliance with the  
43 maturity limits contained herein shall be established with respect to each series of Refunded  
44 Bonds in a certificate of the County Executive, or the Chief Administrative Officer if authorized  
45 by the County Executive, delivered in connection with the issuance of such Refunding Bonds.

46  
47 (5) The County Executive, or the Chief Administrative Officer if authorized by the  
48 County Executive, shall determine the portions of each series of Refunded Bonds to be refunded  
49 with the proceeds of each series of Refunding Bonds; provided, however, that such refunding  
50 will effectuate and accomplish the public purpose of realizing savings to the County in the  
51 aggregate cost of debt service on either a direct comparison or a present value basis with respect  
52 to the portion of any series of Refunded Bonds being refunded.

1           (6) With respect to each series of Refunding Bonds sold pursuant to this Ordinance,  
2 authority is hereby conferred on the County Executive, or the Chief Administrative Officer if  
3 authorized by the County Executive, in addition to the authority conferred by Section 2 hereof, to  
4 take the following actions and make the following commitments on behalf of the County:

5  
6           (a) to sell any series of Refunding Bonds upon such terms he deems favorable under  
7 the existing market conditions to a bank, investment banking firm or other financial institution  
8 as, in his judgment, offers to purchase such series of bonds on terms he deems favorable to the  
9 County under the existing market conditions;

10  
11           (b) to execute and deliver, as a binding and enforceable obligation of the County, an  
12 underwriting or purchase agreement for any series of Refunding Bonds;

13  
14           (c) to determine whether the principal of Refunded Bonds shall be paid at maturity,  
15 at the earliest redemption date pertaining thereto, or at some later redemption date; and

16  
17           (d) to select a trust company or other banking institution as trustee, to hold the trust  
18 fund into which the proceeds of the sale of any Refunding Bonds may be deposited under the  
19 Refunding Act, to determine the terms of any such trust fund, including any provisions relating to  
20 the payment of costs or the payment of a portion of the interest on such series of Refunding  
21 Bonds therefrom, and to deliver, as a binding commitment of the County, a trust or escrow  
22 agreement pursuant to which such trust fund is established.

23  
24           SECTION 4. *And be it further enacted*, That the several series of bonds to be issued pursuant  
25 to the authority of this Ordinance shall be executed on behalf of the County by the manual or  
26 facsimile signature of the County Executive and the seal or a facsimile of the seal of the County  
27 shall be impressed or imprinted thereon, attested by the manual or facsimile signature of the  
28 County Executive, the secretary to the County Executive, the Administrative Officer to the  
29 County Council or such other officer as may be specified by ordinance of the County Council.  
30 Each such bond shall be authenticated by the manual or facsimile signature of the Chief  
31 Administrative Officer or his authorized deputy and by the manual signature of an authorized  
32 officer of the Bond Registrar. Notwithstanding the foregoing, in the event bonds are issued in  
33 book-entry form the County Executive or the Chief Administrative Officer if authorized by the  
34 County Executive, may provide that bonds issued in such form need not be authenticated by a  
35 Bond Registrar. No bonds issued hereunder shall be valid for any purpose or constitute an  
36 obligation of the County unless so authenticated.

37  
38           Each series of bonds shall be in the form set forth in Exhibit III attached hereto and  
39 incorporated herein, and bonds issued substantially in compliance with such forms, with such  
40 insertions, alterations, additions or deletions as herein permitted, when properly executed and  
41 authenticated as described above, shall be deemed to constitute unconditional general obligations  
42 of the County, to the payment of which, in accordance with the terms thereof, its full faith and  
43 credit are pledged, subject to the limitation on the taxing power set forth in Section 710(d) of the  
44 County Charter, and all the covenants and conditions contained in such bonds shall be deemed to  
45 be binding upon the County in accordance therewith.

46  
47           In case any official of the County whose signature shall appear on any such bonds shall cease  
48 to be such official prior to the delivery of such bonds, or in the case that any such official shall  
49 take office subsequent to the date of issue of any such bonds, his signature, in either event, shall  
50 nevertheless be valid for the purposes herein intended.

1        There shall be printed on the reverse side of each series of bonds issued hereunder, the text  
2 of the applicable approving legal opinion with respect thereto, such text being duly certified by  
3 the manual or facsimile signature of the County Executive, unless the bonds are issued in book-  
4 entry form, in which event, the County Executive, or the Chief Administrative Officer if  
5 authorized by the County Executive, may make alternate arrangements to make the approving  
6 legal opinion available to the holder of such bonds.

7  
8        Authority is hereby conferred on the County Executive, or the Chief Administrative Officer  
9 if authorized by the County Executive, to complete the blanks in such forms with the required  
10 information, to insert applicable paragraphs as indicated and to make such additions, deletions  
11 and substitutions in such forms, not inconsistent herewith, as may be necessary or desirable in  
12 the sale of any such series of bonds or to provide for the sale of any such series of bonds in book-  
13 entry form including (without limitation) modifications in the form of bonds to provide for  
14 Refunding Bonds issued to refund Refunded Bonds meeting the requirements of Section 19-207  
15 of the Local Government Article of the Annotated Code of Maryland (2013 Replacement  
16 Volume) to be secured by a pledge of the full faith and credit and unlimited taxing power of the  
17 County, or, with respect to bonds sold in book-entry form, to provide for payment of the  
18 redemption price of such bonds without presentation thereof to the County or to the Bond  
19 Registrar. Without limiting the generality of the foregoing, the County Executive, or the Chief  
20 Administrative Officer if authorized by the County Executive, is hereby specifically authorized  
21 to make such additions, deletions and substitutions in such forms, not inconsistent herewith, as  
22 he may deem necessary or desirable in the event that any series of bonds issued hereunder (i) is  
23 not made subject to redemption prior to their respective maturities or (ii) is issued as Variable  
24 Rate Demand Obligations in accordance with the provisions of Section 7 of this Ordinance.

25  
26        SECTION 5. *And be it further enacted,* That any bonds hereafter sold pursuant to the  
27 authority of Section 2 of this Ordinance shall first be offered at public sale to the best bidder  
28 therefor and, only after the solicitation of competitive bids on a sealed basis by publication of a  
29 notice of sale substantially in the form set forth in Exhibit IV attached hereto and incorporated  
30 herein, with such insertions, alterations, additions or deletions as are permitted by this  
31 Ordinance.

32  
33        The best bidder for such bonds shall be determined in accordance with a formula and subject  
34 to such bid constraints as shall be determined by the County Executive, or the Chief  
35 Administrative Officer if authorized by the County Executive, upon the recommendation of the  
36 financial advisor selected pursuant to Section 2 hereof, to be appropriate for the solicitation or  
37 determination of the best bid for the bonds. The notice shall be published at least once preceding  
38 the date of sale in a newspaper published and of general circulation in the County. The first  
39 publication of such notice shall be not less than 10 days prior to the date of sale. At the  
40 discretion of the County Executive, or the Chief Administrative Officer if authorized by the  
41 County Executive, such notice or a summary thereof may also be inserted one or more times in  
42 financial journals published elsewhere in the United States. If more than one series or issue of  
43 bonds are offered together, they shall be sold as a unit. Following any such sale, the County  
44 Executive, or the Controller if authorized by the County Executive, shall report the results  
45 thereof in writing at the next meeting of the County Council. All proposals for the purchase of  
46 any such bonds shall be made substantially in the form set forth in Exhibit IV attached hereto and  
47 incorporated herein, with such insertions, alterations, additions or deletions as are permitted by  
48 this Ordinance.

49  
50        The County may in such notice of sale reserve unto itself the right to reject any or all of the  
51 bids made pursuant to such notice and if, pursuant to the power so reserved, all of such bids are  
52 so rejected at the public sale of any of the bonds, then the County may, within 30 days, but not

1 thereafter, offer to sell or sell all or any part of such bonds by private sale for a price not less  
2 than the best bid received by the County from an acceptable bidder at the public sale thereof, and  
3 if such bonds are not sold either at such public sale or at private sale within such 30 day period,  
4 then they may not be sold in any manner except upon a subsequent public sale duly advertised in  
5 the manner herein specified.

6  
7 The County may in such notice of sale reserve the right to adjust the principal amount of  
8 each maturity of bonds of any series after publication of the notice of sale as provided herein,  
9 provided that any such adjustment shall be made in accordance with the procedures set forth in  
10 the notice of sale.

11  
12 The forms of such notice of sale and of such proposals shall be substantially as set forth in  
13 Exhibit IV, with the insertions therein indicated, and subject to such insertions, alterations,  
14 additions or deletions as the County Executive, or the Chief Administrative Officer if authorized  
15 by the County Executive, may deem advisable due to financial or market conditions prevailing at  
16 the time or, in the event that bonds are issued as Variable Rate Demand Obligations in  
17 accordance with Section 7 of this Ordinance or constitute Refunding Bonds meeting the  
18 requirements of Section 19-207 of the Local Government Article of the Annotated Code of  
19 Maryland (2013 Replacement Volume), due to the particular characteristics of such bonds or the  
20 security therefor. Without limiting the generality of the foregoing, the County Executive, or the  
21 Chief Administrative Officer if authorized by the County Executive, is hereby specifically  
22 authorized, upon recommendation of the financial advisor and bond counsel, to make such  
23 insertions, alterations, additions or deletions as he may deem necessary or desirable (A) in the  
24 event that the bonds of any series issued hereunder (i) are not made subject to redemption prior  
25 to their respective maturities, (ii) are issued as Variable Rate Demand Obligations in accordance  
26 with the provisions of Section 7 of this Ordinance or (iii) constitute Refunding Bonds meeting  
27 the requirements of Section 19-207 of the Local Government Article of the Annotated Code of  
28 Maryland (2013 Replacement Volume), (B) to provide for receipt of bids submitted  
29 electronically, or (C) to reflect use of a book-entry only system.

30  
31 SECTION 6. *And be it further enacted*, That in order to avoid the issuance of a greater  
32 amount of bonds for the capital projects listed in Exhibit I than is needed therefor, and in order to  
33 permit the construction of such projects to proceed prior to the issuance of such bonds and at the  
34 same time afford the County maximum flexibility in selecting the most advantageous times for  
35 such issuance, the County may provide needed capital funds by the issue and sale of its bond  
36 anticipation notes pursuant to the authority of Section 19-212 of the Local Government Article of  
37 the Annotated Code of Maryland (2013 Replacement Volume) (the "Bond Anticipation Note  
38 Act"). Such notes shall bear the same series identification as the bonds authorized in Section 2  
39 hereof.

40  
41 (1) The maximum principal amount of such notes issued pursuant to this Section which may  
42 be outstanding at any time shall be Five Hundred Sixty-Nine Million Two Hundred Eighty-Seven  
43 Thousand One Hundred Dollars (\$569,287,100) unless and until otherwise provided by the  
44 County Council by ordinance. The notes may be paid at or prior to maturity from the proceeds of  
45 the issuance and sale of the bonds in anticipation of which such notes were issued or from the  
46 proceeds of refunding bond anticipation notes. Except as otherwise provided herein, in the event  
47 of such an advance refunding, the proceeds of such refunding bonds or notes shall be held in  
48 escrow, to the extent and in the amount necessary to refund the outstanding series of notes, for  
49 the benefit of the holders of the outstanding series of notes. Such refunding bond anticipation  
50 notes, if issued, will constitute a reissuance of the bond anticipation notes authorized by this  
51 Ordinance and shall not constitute additional indebtedness under such authorization.



1 (2) The notes shall be issued in registered form without coupons or in bearer form without  
2 coupons, in the denomination of \$5,000 each or any integral multiple thereof, as may be  
3 determined by the County Executive, or the Chief Administrative Officer if authorized by the  
4 County Executive. Each such note shall be dated (i) as of the first or fifteenth day of the month  
5 in which it is sold, and accrued interest shall be adjusted to such date or (ii) as of the date of the  
6 initial sale and delivery of such note, all as may be determined by the County Executive, or the  
7 Chief Administrative Officer if authorized by the County Executive. All of the notes authorized  
8 hereby shall mature and be payable on such date as may be determined by the County Executive,  
9 or the Chief Administrative Officer if authorized by the County Executive, within the limitations  
10 of this Ordinance and the Bond Anticipation Note Act. The County Executive, or the Chief  
11 Administrative Officer if authorized by the County Executive, may also provide for (a) the  
12 extension of maturity of such notes, at the option of the County exercised by the County  
13 Executive or the Chief Administrative Officer, for an additional period not in excess of six  
14 months, upon such terms and conditions as the County Executive, or the Chief Administrative  
15 Officer if authorized by the County Executive, shall prescribe and (b) the redemption of such  
16 notes prior to their maturity, with or without premium or penalty.

17  
18 (3) All or any part of such notes may be issued in series as funds are required. Authority is  
19 hereby conferred on the County Executive, or the Chief Administrative Officer if authorized by  
20 the County Executive, to determine whether such notes will be issued in such series and, if so,  
21 when each such series of notes will be delivered to the purchaser thereof.

22  
23 (4) The County Executive, or the Chief Administrative Officer if authorized by the County  
24 Executive, shall provide for the establishment and maintenance of books for the registration and  
25 transfer of registered notes, which books may be maintained by a Note Registrar appointed by the  
26 County Executive, or the Chief Administrative Officer if authorized by the County Executive.

27  
28 (5) Notes to be issued pursuant to the authority of this Ordinance shall be executed on behalf  
29 of the County by the manual or facsimile signature of the County Executive and the seal of the  
30 County or a facsimile thereof shall be impressed or imprinted thereon, attested by the manual or  
31 facsimile signature of the County Executive, the secretary to the County Executive, the  
32 Administrative Officer to the County Council or such other officer as may be specified by  
33 ordinance of the County Council. Each note shall be authenticated by the manual or facsimile  
34 signature of the Chief Administrative Officer or his authorized deputy. In the event that  
35 registered notes are issued, the County Executive, or the Chief Administrative Officer if  
36 authorized by the County Executive, may provide for authentication of such registered notes by a  
37 Note Registrar in such form as he shall deem appropriate. In the event that Program Notes  
38 (hereinafter defined) are issued, or in the event that the notes are issued as Variable Rate  
39 Demand Obligations, the County Executive, or the Chief Administrative Officer if authorized by  
40 the County Executive, may provide for authentication of such Program Notes or Variable Rate  
41 Demand Obligations by such agents or entities and in such form as he shall deem appropriate.

42  
43 (6) The notes shall bear interest at such rate or rates as shall be established by the County  
44 Executive, or the Chief Administrative Officer if authorized by the County Executive, which rate  
45 or rates may vary according to an established index. Interest on the notes shall be payable on  
46 such dates and in such manner as shall be established by the County Executive, or the Chief  
47 Administrative Officer if authorized by the County Executive.

48  
49 (7) Unless otherwise provided by an ordinance of the County Council prior to the issuance of  
50 any of such notes, authority is hereby conferred on the County Executive, or the Chief  
51 Administrative Officer if authorized by the County Executive, to sell such notes on the most  
52 favorable terms available from time to time, without solicitation of competitive bids, at private

1 (negotiated) sale, and such method of sale is hereby found and determined to be in the best  
2 interests of the County. If the County Executive, or the Chief Administrative Officer if  
3 authorized by the County Executive, shall determine that the best interests of the County will be  
4 served by the sale of all or part of the notes at a public sale with the solicitation of competitive  
5 bids, the County Executive or the Chief Administrative Officer, as the case may be, is hereby  
6 authorized to sell such notes in such manner. Except as hereinafter provided with respect to  
7 Commercial Paper Notes (hereinafter defined), (a) such notes shall be sold at a price equal to the  
8 par value thereof plus accrued interest to the date of delivery, or (b) upon written  
9 recommendation of the financial advisor selected pursuant to subsection (9) of Section 2 that a  
10 discount bid would be expected to provide a more favorable interest rate to the County by  
11 facilitating the underwriting of the County's notes in then-current market conditions, the County  
12 Executive, or the Chief Administrative Officer if authorized by the County Executive, may  
13 authorize such notes to be sold at a price not less than 99% of par plus accrued interest to date of  
14 delivery. None of such notes shall bear interest at a rate in excess of the maximum interest rate,  
15 if any, specified by the County Council by Public Local Law to be payable on obligations of  
16 Anne Arundel County, Maryland.

17  
18 In the event that such notes are sold at private (negotiated) sale, the County Executive, or the  
19 Chief Administrative Officer if authorized by the County Executive, is hereby authorized to  
20 negotiate with any bank, banker or other financial institution for a loan commitment and to  
21 deliver to such bank, banker or other financial institution such notes at one time or from time to  
22 time, as funds are required, pursuant to the terms of such commitment, and to execute and deliver  
23 any and all documents necessary or deemed appropriate by the County Executive or the Chief  
24 Administrative Officer, as the case may be, to consummate the sale of such notes at private  
25 (negotiated sale) and to accomplish any and all actions necessary or deemed appropriate by the  
26 County Executive or the Chief Administrative Officer, as the case may be, to issue and deliver  
27 such notes to the purchaser thereof in accordance with the provisions of this Ordinance and any  
28 such commitment.

29  
30 In the event that such notes are sold at public sale, the County Executive, or the Chief  
31 Administrative Officer if authorized by the County Executive, is hereby authorized (i) to  
32 determine the timing, terms and conditions thereof, (ii) to publish an appropriate notice of sale,  
33 such notice of sale to be in the general form of the form of the notice of sale included herein in  
34 Section 5 for the sale of bonds authorized by Section 2 hereof, with such alterations, deletions,  
35 substitutions and additions as the County Executive, or the Chief Administrative Officer if  
36 authorized by the County Executive, shall deem necessary or appropriate to provide for proper  
37 notice of the sale of notes, (iii) to determine the date, time and place when proposals will be  
38 accepted for such notes, such proposals to specify the interest rate or rates to be paid on such  
39 notes, the price to be paid for such notes and such other matters as the County Executive or the  
40 Chief Administrative Officer, as the case may be, may deem necessary or desirable in order to  
41 sell and deliver such notes and to award such notes at public sale to the successful bidder for  
42 such notes, and (iv) to execute and deliver any and all documents necessary or deemed  
43 appropriate by the County Executive or the Chief Administrative Officer, as the case may be, to  
44 consummate the sale of such notes at public sale and to accomplish any and all actions necessary  
45 or deemed appropriate by the County Executive or the Chief Administrative Officer, as the case  
46 may be, to issue and deliver such notes to such underwriters or purchasers in accordance with the  
47 provisions of this Ordinance and any contract of sale with the successful bidder for the notes.

48  
49 Following each such sale, or the negotiation of each such commitment, including the  
50 execution of any agreements in connection with the issuance of Program Notes or Variable Rate  
51 Demand Obligations, the County Executive, or the Controller if authorized by the County  
52 Executive, shall report the same at the next meeting of the County Council and shall accompany

1 such report with the data upon which he had relied to satisfy himself that he had obtained terms  
2 favorable to the County in the then-prevailing market for comparable obligations.

3  
4 (8) The authority conferred on the County Executive, or the Chief Administrative Officer if  
5 authorized by the County Executive, in paragraph (9) of Section 2 of this Ordinance in  
6 connection with the issuance of bonds hereunder, with respect to the appointment of paying  
7 agents and a registrar, the employment of a financial advisor, a financial printer and a securities  
8 printer, retaining bond counsel and the preparation and distribution of an appropriate Offering  
9 Circular, Official Statement or Official Circular, may also be exercised with respect to the  
10 issuance and sale of bond anticipation notes hereunder.

11  
12 (9) With respect to any notes issued, the County hereby covenants and agrees with the holder  
13 or holders thereof to issue, upon its full faith and credit, the bonds in anticipation of the sale of  
14 which such notes are issued when, and as soon as, the reason for deferring the issuance thereof  
15 no longer exists and to pay the principal of and interest on (to the extent such interest has not  
16 been capitalized, or otherwise paid, by appropriations from current revenues as hereinbefore  
17 authorized) such notes from the proceeds of such bonds. This covenant shall be binding upon the  
18 County notwithstanding any limitation set forth in this Ordinance, including (without limitation)  
19 any limitation with respect to the interest rate or rates that the bonds may bear. If the County  
20 shall be unable, for reasons beyond its control, to issue and sell its bonds as described above, or  
21 if the proceeds from the sale of such bonds shall be insufficient to pay the principal of and  
22 interest on any notes issued, then the revenues from taxes and other sources intended for  
23 application to debt service on such bonds shall be applied to the payment of the interest on and  
24 principal of the notes. The foregoing provisions shall not be construed so as to prohibit the  
25 County from paying the principal or redemption price of and interest on any note issued  
26 hereunder from the proceeds of the sale of any other note issued hereunder, or from any other  
27 funds legally available for that purpose.

28  
29 If the County shall be unable, for reasons beyond its control, to issue and sell its bonds, or if  
30 the proceeds from the sale of such bonds shall be insufficient to pay the principal of or interest  
31 on any notes issued, then the County hereby covenants that, in each fiscal year during which any  
32 such bond anticipation notes are outstanding, it will appropriate sufficient funds in each Current  
33 Expense Budget to pay the principal of such bond anticipation notes and the interest thereon due  
34 in such fiscal year. The County hereby further covenants that, to the extent any such  
35 appropriation is not offset by funds from other sources or by project revenues, it will, subject to  
36 the limitation on the tax levy set out in Section 710(d) of the County Charter, fund any such  
37 appropriation by the levy of ad valorem taxes on real estate, tangible personal property and  
38 intangible personal property subject to taxation by the County, and in addition, on such other  
39 intangible property as may be subject to taxation by the County within limitations prescribed by  
40 law. In such event, in the case of any series of bond anticipation notes issued to finance  
41 self-liquidating projects of the County, the principal of and interest on any such notes shall be  
42 payable primarily from the net revenues and receipts from such projects, or the utilities of which  
43 they form a part. If any such series of bond anticipation notes shall be issued to finance such  
44 self-liquidating projects and the County shall be unable for reasons beyond its control to issue  
45 and sell the bonds in anticipation of the sale of which such notes are issued, or if the proceeds  
46 from the sale of such bonds shall be insufficient to pay the principal of or interest on such notes,  
47 then the County covenants to fix such rates and charges for the use of any such project, or the  
48 utility of which it forms a part, as will generate sufficient revenues to pay the annual cost of  
49 maintenance and operation thereof and to pay the maturing principal of and interest on any such  
50 series of bond anticipation notes when due, and the County further covenants and agrees to apply  
51 such revenues against appropriations for such maintenance, operation and debt service in each  
52 Current Expense Budget. The County may apply to the payment of the principal of and interest

1 on the aforementioned notes any funds granted or otherwise obtained and legally available for  
2 the payment of the principal of and interest on the notes; and to the extent that any such funds  
3 received or receivable in any fiscal year are applied to such purposes, the taxes, rates and charges  
4 required to be levied or assessed pursuant to this paragraph shall be reduced proportionately.  
5

6 (10) In the event that any notes (the "Outstanding Notes") issued hereunder are outstanding  
7 on the date that the bonds in anticipation of which such notes are issued are delivered in  
8 exchange for the purchase price thereof (the "Delivery Date"), the Controller shall deposit with  
9 the paying agent for the notes, or a trustee or escrow agent, on the Delivery Date (i) cash in an  
10 amount equal to the principal of the Outstanding Notes or (ii) direct obligations of, or obligations  
11 the payment of which is unconditionally guaranteed by, the United States of America, the  
12 principal of and interest on which will be sufficient without reinvestment to pay in a timely  
13 manner the principal of the Outstanding Notes when due. Such paying agent or trustee or escrow  
14 agent is hereby irrevocably directed to apply such cash or the proceeds of such obligations to the  
15 payment of the principal of the Outstanding Notes when due. The County may provide such cash  
16 or obligations from the proceeds of the sale of such bonds or from any other funds legally  
17 available for such purpose. On the Delivery Date, the Controller shall also deposit with the  
18 paying agent for the Outstanding Notes, or a trustee or escrow agent (i) cash in an amount equal  
19 to the interest on the Outstanding Notes when due or (ii) direct obligations of, or obligations the  
20 payment of which is unconditionally guaranteed by, the United States of America, the principal  
21 of and interest on which will be sufficient without reinvestment to pay in a timely manner  
22 interest on the Outstanding Notes when due. The County may provide such cash or obligations  
23 from the proceeds of the sale of bonds available for that purpose or from any other funds legally  
24 available for such purpose. Notwithstanding the foregoing, if the Delivery Date and the date on  
25 which the Outstanding Notes mature are in different fiscal years, and moneys for the payment of  
26 the interest on the Outstanding Notes have not been finally appropriated in the fiscal year in  
27 which the bonds are delivered, and if the Delivery Date is after the date on which the budget for  
28 the succeeding fiscal year has been submitted to the County Council and provision for the  
29 payment of the interest on such Outstanding Notes has been made in such budget, in lieu of the  
30 deposit of such cash or obligations for the payment of interest on the Outstanding Notes, the  
31 County Executive, the Controller and the Chief Administrative Officer may deliver a certificate  
32 on the Delivery Date of the bonds stating that funds sufficient to pay the interest on the  
33 Outstanding Notes have been included in the budget for the next succeeding fiscal year (it being  
34 provided by the Bond Anticipation Note Act that the notes shall be payable from the first  
35 proceeds of the sale of the bonds, or from the tax or other revenue which the County shall have  
36 previously determined to apply to the payment of the bonds and the interest thereon). Upon the  
37 deposit with the paying agent for the Outstanding Notes, or a trustee or escrow agent, of cash or  
38 obligations sufficient to provide for the payment of the principal of and interest on such notes  
39 when due, as described above, such notes shall be deemed to be paid and no longer outstanding  
40 hereunder.  
41

42 (11) Pursuant to the Bond Anticipation Note Act, the County is hereby authorized to issue  
43 the aforementioned bond anticipation notes as notes in the nature of commercial paper and to  
44 establish a commercial paper program. Accordingly, the County is hereby authorized to issue  
45 two or more separate and distinct series of its bond anticipation notes, which may include (1) a  
46 series of its bond anticipation notes in the nature of commercial paper (the "Commercial Paper  
47 Notes") and (2) a series of its bond anticipation notes in connection with a liquidity facility, such  
48 as a revolving loan agreement, or a series of its bond anticipation notes in connection with a  
49 credit facility, such as a letter of credit and related agreements (collectively, the "Revolving Loan  
50 Notes") (the Commercial Paper Notes and the Revolving Loan Notes being collectively referred  
51 to herein as the "Program Notes"). The words "bond anticipation notes," as used in this  
52 Ordinance, include Program Notes, and it is intended that the provisions of this Ordinance

1 applying to bond anticipation notes shall include Program Notes unless the context clearly  
2 requires a contrary meaning.

3  
4 For the purposes of this Ordinance, the term "principal amount," when used with respect to  
5 the Program Notes, shall mean (i) in the case of Commercial Paper Notes, the face amount of any  
6 such Commercial Paper Note, less any original issue discount on such Commercial Paper Note,  
7 and (ii) in the case of Revolving Loan Notes, the principal amount actually advanced under the  
8 applicable liquidity facility or credit facility that is evidenced by any such Revolving Loan Note.  
9 Accordingly, it is contemplated by this Ordinance that the aggregate face amount of the Program  
10 Notes that may be outstanding from time to time hereunder, together with other bond anticipation  
11 notes issued hereunder and outstanding from time to time, may exceed the aggregate principal  
12 amount of bond anticipation notes authorized to be outstanding hereunder at any one time.

13  
14 It is recognized that the procedures necessary or desirable to implement a commercial paper  
15 program within the framework of existing commercial practices in the commercial paper market  
16 may require the County to prescribe procedures to facilitate the prompt determination and  
17 approval of certain matters in connection with the authorization, issuance, execution, sale,  
18 delivery and payment of and for Commercial Paper Notes. Accordingly, the County Executive,  
19 by or pursuant to executive order or other appropriate action or proceedings, is hereby authorized  
20 (1) to establish such procedures, including (without limitation) procedures for (a) the  
21 determination of the dates and maturities of any Program Notes, or the method by which the  
22 same shall be determined, (b) the determination of the interest rate to be borne by any Program  
23 Notes, which may be separately stated by rate or amount or which may be in an amount equal to  
24 the discount thereon, or the method by which the same shall be determined, and (c) the  
25 determination of the price or prices at which Commercial Paper Notes may be sold, which may  
26 be at, above or below the face value thereof, or the method by which the same shall be  
27 determined; and (2) to determine any and all other matters relating to the terms, specifications  
28 and form of such Program Notes, including (without limitation) any modification required in the  
29 forms of bond anticipation note set forth herein to accommodate the needs of the commercial  
30 paper program. Any such procedures may include provisions for telephonic approval and  
31 subsequent telegraphic or written confirmation of one or more of such matters by the Chief  
32 Administrative Officer, the Controller or such other officers or employees of the County as the  
33 County Executive shall designate within guidelines or parameters prescribed by the County  
34 Executive. The establishment of such procedures and all such determinations and actions shall  
35 be deemed to be of an administrative nature.

36  
37 In connection with the establishment of a commercial paper program, the County Executive  
38 is hereby authorized, by or pursuant to executive order or other appropriate action or proceedings  
39 (i) to approve the form of any indenture necessary or appropriate in connection with the issuance  
40 of any Program Notes (the "Indenture") and to appoint a trustee (the "Trustee") thereunder, (ii)  
41 to approve the form of any dealer agreement relating to any Commercial Paper Notes (the  
42 "Dealer Agreement") and to select a dealer to act thereunder, (iii) to approve the form of a  
43 liquidity facility, such as a revolving loan agreement, or a credit facility, such as a letter of credit  
44 and related agreements (each a "Credit Facility") and to select one or more financial institutions  
45 to provide loans or otherwise to act thereunder, and (iv) to approve the form of any issuing and  
46 paying agency agreement (the "Issuing and Paying Agency Agreement") and to appoint an  
47 issuing and paying agent of the County for the purpose of completing, authenticating and  
48 delivering the Program Notes from time to time.

49  
50 The County Executive is hereby authorized, pursuant to executive order or other appropriate  
51 action or proceedings, to execute and deliver on behalf of the County the Issuing and Paying  
52 Agency Agreement, one or more Credit Facilities, the Dealer Agreement, and all and any other

1 documents that he may deem necessary or appropriate to implement the commercial paper  
2 program contemplated by this Ordinance and, in each case, to cause the seal of the County to be  
3 impressed thereon, attested by the County Executive, the secretary to the County Executive, the  
4 Administrative Officer to the County Council or such other officer as may be specified by  
5 ordinance of the County Council.

6  
7 (12) All of such notes shall be in such form as the County Executive, or the Chief  
8 Administrative Officer if authorized by the County Executive, shall deem appropriate shall be  
9 binding on the County when and as any such notes are issued and sold hereunder.

10  
11 SECTION 7. *And be it further enacted*, That it is hereby found and determined as follows: (i)  
12 general economic conditions are extremely unsettled and require sensitive and careful debt  
13 management in order to reduce to the extent practicable the cost of borrowing to the County and  
14 it is in the best interests of the County to be able to implement a flexible approach to borrowing  
15 (that is, one which provides the ability to utilize variable rate demand obligations, commercial  
16 paper and short-term municipal obligations ["Variable Rate Demand Obligations"]); (ii) there is  
17 an expanding market for Variable Rate Demand Obligations, which have varying and flexible  
18 maturities or redemption features, tender or purchase dates and bear interest at variable rates  
19 established by a remarketing agent on the basis of current market conditions, or combinations of  
20 such maturities or redemption, tender or purchase dates and rates and to access this market the  
21 County must establish procedures consistent with market practices for Variable Rate Demand  
22 Obligations; and (iii) existing practices in the market for Variable Rate Demand Obligations and  
23 existing requirements of nationally recognized rating agencies require that there be available to  
24 the issuer of Variable Rate Demand Obligations a supporting credit arrangement, such as a letter  
25 of credit, line of credit or revolving loan agreement, pursuant to which an alternate source of  
26 borrowing will be available during any period in which such obligations cannot be remarketed.

27  
28 The County Executive, or the Chief Administrative Officer if authorized by the County  
29 Executive, may determine that bond anticipation notes authorized by Section 6 hereof or bonds  
30 authorized by Section 2 hereof shall be issued as short-term or demand obligations or commercial  
31 paper, defined above as Variable Rate Demand Obligations, including obligations that are  
32 required to be purchased or redeemed prior to stated maturity dates, and bear interest at variable  
33 rates established from time to time by a remarketing agent on the basis of current market  
34 conditions. The County Executive, or the Chief Administrative Officer if authorized by the  
35 County Executive, is hereby authorized to establish procedures for the determination of the  
36 interest rates, the interest payment dates and any mandatory redemption, tender or purchase dates  
37 of bonds or notes described in this Section 7 in order to implement the financing authorized  
38 hereby. If any bonds or notes issued in accordance with this Section 7 provide for the mandatory  
39 redemption, tender or purchase thereof prior to stated maturity dates, the form of bond or note (as  
40 the case may be) may provide, to the extent permitted by law and deemed advisable by the  
41 County Executive, or the Chief Administrative Officer if authorized by the County Executive,  
42 that the full faith and credit and, subject to the limitations set forth in Section 710(d) of the  
43 County Charter, taxing power of the County are pledged to the payment of the purchase or  
44 redemption price on the due dates for such payments.

45  
46 In connection with the issuance of such obligations, the County Executive is hereby  
47 authorized, by executive order or other appropriate action or proceeding (i) to approve the form  
48 of any indenture necessary or appropriate in connection with the issuance of such obligations  
49 (the "Demand Indenture") and to appoint a trustee thereunder, (ii) to approve the form of a  
50 remarketing agreement relating to such obligations (the "Demand Remarketing Agreement") and  
51 to select a remarketing agent to act thereunder, (iii) to approve the form of a credit or liquidity  
52 facility, such as a letter of credit, line of credit, revolving loan agreement or other similar

1 agreement (a "Demand Credit Facility") and to enter into a reimbursement agreement or other  
2 similar agreement (a "Demand Credit Facility Agreement") with one or more financial  
3 institutions in connection therewith and (iv) to approve the form of a registrar and paying agency  
4 agreement (the "Demand Registrar and Paying Agency Agreement") and to appoint a registrar  
5 and paying agent for the purpose of completing, authenticating and delivering such obligations  
6 from time to time.

7  
8 The County Executive is hereby authorized pursuant to executive order or other appropriate  
9 action or proceeding, to execute and deliver on behalf of the County a Demand Indenture, a  
10 Demand Remarketing Agreement, one or more Demand Credit Facility Agreements and a  
11 Demand Registrar and Paying Agency Agreement and any and all other documents that he may  
12 deem necessary or appropriate in connection with the issuance of obligations authorized by this  
13 Section 7, and, in each case, to cause the seal of the County to be impressed thereon, attested by  
14 the County Executive, the secretary to the County Executive, the Administrative Officer to the  
15 County Council and such other officers as may be specified by ordinance of the County Council.

16  
17 SECTION 8. *And be it further enacted*, That the provisions hereinafter set forth in Sections  
18 (8)(1), (2), (3), (4) and (5) shall be applicable with respect to bonds (including Refunding Bonds)  
19 or bond anticipation notes issued and sold hereunder on the basis that the interest on such bonds  
20 or notes will be excludable from gross income for federal income tax purposes and the provisions  
21 hereinafter set forth in Section (8)(7) shall be applicable with respect to any bonds or bond  
22 anticipation notes issued and sold hereunder on the basis that such bonds or notes are allowed a  
23 tax credit, that the County is entitled to a subsidy from the United States of America or any  
24 agency or instrumentality thereof with respect to such bonds or notes or the interest payable  
25 thereon, or that any such bond or note or the interest thereon is entitled to any other available  
26 benefits under the Internal Revenue Code of 1986, as amended (any such bonds or notes being  
27 referred to herein as "Tax Advantaged Obligations").

28  
29 (1) The County Executive shall be the officer of the County responsible for the issuance of  
30 any bonds or bond anticipation notes hereunder within the meaning of the Arbitrage Regulations  
31 (defined herein). The County Executive shall also be the officer of the County responsible for  
32 the execution and delivery (on the date of issuance of the bonds or bond anticipation notes) of a  
33 certificate of the County (the "Section 148 Certificate") which complies with the requirements  
34 of Section 148 of the Internal Revenue Code of 1986, as amended ("Section 148"), and the  
35 applicable regulations thereunder (the "Arbitrage Regulations"), and such official is hereby  
36 directed to execute the Section 148 Certificate and to deliver the same to bond counsel on the  
37 date of the issuance of the bonds or bond anticipation notes.

38  
39 (2) The County shall set forth in the Section 148 Certificate its reasonable expectations as to  
40 relevant facts, estimates and circumstances relating to the use of the proceeds of the bonds or  
41 bond anticipation notes, or of any moneys, securities or other obligations to the credit of any  
42 account of the County which may be deemed to be proceeds of the bonds or bond anticipation  
43 notes pursuant to Section 148 or the Arbitrage Regulations (collectively, "Bond Proceeds"). The  
44 County covenants that the facts, estimates and circumstances set forth in the Section 148  
45 Certificate will be based on the County's reasonable expectations on the date of issuance of the  
46 bonds or bond anticipation notes and will be, to the best of the certifying officials' knowledge,  
47 true and correct as of that date.

48  
49 (3) The County covenants and agrees with each of the holders of any of the bonds or bond  
50 anticipation notes that it will not make, or (to the extent that it exercises control or direction)  
51 permit to be made, any use of the Bond Proceeds which would cause the bonds or bond  
52 anticipation notes to be "arbitrage bonds" within the meaning of Section 148 and the Arbitrage

1 Regulations. The County further covenants that it will comply with Section 148 and the  
2 regulations thereunder which are applicable to the bonds or bond anticipation notes on the date  
3 of issuance of the bonds or bond anticipation notes and which may subsequently lawfully be  
4 made applicable to the bonds or bond anticipation notes.

5  
6 (4) The County further covenants that it shall make such use of the proceeds of the bonds or  
7 bond anticipation notes, regulate the investment of the proceeds thereof, and take such other and  
8 further actions as may be required to maintain the excludability from gross income for federal  
9 income tax purposes of interest on the bonds or bond anticipation notes. All officers, employees  
10 and agents of the County are hereby authorized and directed to take such actions, and to provide  
11 such certifications of facts and estimates regarding the amount and use of the proceeds of the  
12 bonds or bond anticipation notes, as may be necessary or appropriate from time to time to  
13 comply with, or to evidence the County's compliance with, the covenants set forth in this  
14 Section.

15  
16 (5) The County Executive, on behalf of the County, may make such covenants or agreements  
17 in connection with the issuance of bonds or bond anticipation notes issued hereunder as he or she  
18 shall deem advisable in order to assure the registered owners of such bonds or notes that interest  
19 thereon shall be and remain excludable from gross income for federal income tax purposes, and  
20 such covenants or agreements shall be binding on the County so long as the observance by the  
21 County of any such covenants or agreements is necessary in connection with the maintenance of  
22 the exclusion of the interest on such bonds or notes from gross income for federal income tax  
23 purposes. The foregoing covenants and agreements may include such covenants or agreements  
24 on behalf of the County regarding compliance with the provisions of the Internal Revenue Code  
25 of 1986, as amended, as the County Executive shall deem advisable in order to assure the  
26 registered owners of such bonds or notes that the interest thereon shall be and remain excludable  
27 from gross income for federal income tax purposes, including (without limitation) covenants or  
28 agreements relating to the investment of the proceeds of such bonds or notes, the payment of  
29 rebate (or payments in lieu of rebate) to the United States, limitations on the times within which,  
30 and the purpose for which, such proceeds may be expended, or the use of specified procedures  
31 for accounting for and segregating such proceeds.

32  
33 (6) Notwithstanding anything in this Ordinance to the contrary, bonds or bond anticipation  
34 notes issued and sold hereunder may be issued and sold on the basis that the interest on such  
35 bonds or notes will not be excludable from gross income for federal income tax purposes.

36  
37 (7) With respect to Tax Advantaged Obligations, the County Executive is hereby authorized  
38 to make such covenants or agreements in connection with the issuance thereof as he shall deem  
39 advisable in order to assure (i) the holders of any such Tax Advantaged Obligations that such  
40 Tax Advantaged Obligations will be entitled to federal tax benefits of such Tax Advantaged  
41 Obligations, and (ii) that the County is entitled to any subsidy available for any such Tax  
42 Advantaged Obligations. Such covenants or agreements shall be binding on the County so long  
43 as the observance by the County of any such covenants or agreements is necessary in connection  
44 with the entitlement of such Tax Advantaged Obligations to applicable federal tax benefits. The  
45 foregoing covenants and agreements may include (without limitation) covenants or agreements  
46 on behalf of the County relating to the investment of proceeds of such Tax Advantaged  
47 Obligations, the rebate of certain earnings resulting from such investment to the United States of  
48 America (or the payment of penalties in lieu of such rebate), limitations on the times within  
49 which, and the purposes for which, such proceeds may be expended or the utilization of specified  
50 procedures for accounting for and segregating such proceeds. Any covenant or agreement made  
51 by the County Executive pursuant to this paragraph may be authorized by an order or certificate  
52 of the County Executive and such covenant or agreement shall be binding on the County.



1 In furtherance of the foregoing, in order to qualify for the benefits inuring with respect to any  
2 tax advantaged obligation, the County Executive shall be authorized to make any elections or  
3 designations permitted or required under the Internal Revenue Code of 1986, as amended, to  
4 apply for an allocation from the State of Maryland or the federal government in the case of bonds  
5 or notes subject to any volume limitation and to apply for any tax credit, to take such actions as  
6 shall be necessary to permit any tax credit to be stripped and sold separately from the ownership  
7 interest in any Tax Advantaged Obligations and to claim any cash subsidy with respect to any tax  
8 advantaged obligation. It is confirmed that the County Executive is authorized to declare official  
9 intent to reimburse expenditures from proceeds of Tax Advantaged Obligations.

10  
11 For purposes of establishing compliance with Section 148 regarding the expenditure of  
12 proceeds Tax Advantaged Obligations, the source of general fund monies for capital  
13 expenditures may be specifically attributed to funds deposited to the general fund as a  
14 reimbursement from the proceeds of County debt issuances in accordance with a certificate  
15 executed by the County Executive.

16  
17 Notwithstanding anything in this Ordinance to the contrary, Tax Advantaged Obligations  
18 may be issued pursuant to Section 19-208 of the Local Government Article of the Annotated  
19 Code of Maryland (2013 Replacement Volume) or any other laws of the State of Maryland  
20 authorizing the issuance thereof and may be sold for a price at, above or below par, plus accrued  
21 interest to the date of delivery. Authority is hereby conferred on the county executive to sell any  
22 such Tax Advantaged Obligations through a public sale or through a private (negotiated) sale,  
23 without solicitation of competitive bids, as the County Executive, upon consultation with the  
24 Controller and the County's financial advisor, shall determine to be in the best interests of the  
25 county. Any sale of Tax Advantaged Obligations hereunder by private negotiation is hereby  
26 determined to be in the county's best interest. Tax Advantaged Obligations issued hereunder are  
27 hereby specifically exempted from the provisions of Sections 19-205 and 19-206 of the Local  
28 Government Article of the Annotated Code of Maryland (2013 Replacement Volume).

29  
30 It is recognized that the market for Tax Advantaged Obligations is evolving and that the  
31 issuance and sale from time to time of Tax Advantaged Obligations with one stated maturity may  
32 be the most practicable method for successfully accomplishing the sale of Tax Advantaged  
33 Obligations by the County. Accordingly, the County is hereby authorized to issue Tax  
34 Advantaged Obligations with a single stated maturity and to provide for an annual installment  
35 plan (the "Installment Plan") with respect to the payment of Tax Advantaged Obligations, such  
36 Installment Plan to be approved by an order of the County Executive. The Installment Plan shall  
37 provide for annual payments to a sinking fund account (the "Escrow Account") to be pledged or  
38 otherwise applied to the payment of the Tax Advantaged Obligations and to be held by a trust  
39 company or other banking institution, as trustee or escrow agent, such annual payments to  
40 commence not later than two years from the date of issuance of the Tax Advantaged Obligations.  
41 Amounts so deposited to the Escrow Account shall be invested and reinvested in direct  
42 obligations of, or obligations the principal of, and the interest on which, are guaranteed by, the  
43 United States of America, or in certificates of deposit or time deposits secured by direct  
44 obligations or obligations the principal of, and the interest on which, are guaranteed by, the  
45 United States of America. Each annual payment deposited to the Escrow Account under the  
46 Installment Plan shall be invested and reinvested in a manner determined by the County so as to  
47 provide for the payment of a portion of the stated principal amount of such Tax Advantaged  
48 Obligations and related interest, if any. The issuance and sale of Tax Advantaged Obligations as  
49 a single bond with one stated maturity and the establishment of an Installment Plan as herein  
50 described are hereby authorized notwithstanding the requirement in Section 2 of this Ordinance  
51 that bonds be issued as serial maturity bonds or term bonds having mandatory sinking fund

1 requirements, beginning not later than the second anniversary of such series, or of the first series  
2 of a group.

3  
4 (8) Notwithstanding anything in this Ordinance to the contrary, it is confirmed that bond  
5 premium, consisting of net bond proceeds from the sale of bonds sold at a price above par, may  
6 be allocated for expenditure purposes permitted under provisions of federal income tax law  
7 pertaining to excludability of interest on the bonds from gross income or the tax status of Tax  
8 Advantaged Obligations, as applicable.

9  
10 SECTION 9. *And be it further enacted*, That, subject to the following paragraphs of this  
11 Section 9, the authority to issue bonds under Bill No. 63-13, as amended, effective November 2,  
12 2013 ("Bill No. 63-13") is hereby canceled, rescinded and repealed, but only to the extent that  
13 such authority has not been exercised prior to the effective date of this Ordinance.

14  
15 Appropriate reductions shall be recognized in the amounts of bonds authorized for issuance  
16 under this Ordinance for bonds issued after May 31, 2014, under the authority of Bill No. 63-13,  
17 for projects authorized to be financed by Bill No. 63-13 and also authorized to be financed under  
18 this Ordinance.

19  
20 Nothing contained in this Ordinance shall be construed as impairing the validity of any  
21 proceedings or action taken, or the validity of any bonds or bond anticipation notes issued, or  
22 Shore Erosion Control Construction Loan Agreements, executed, prior to the effective date of  
23 this Ordinance, under the provisions of Bill No. 63-13, or under prior bond authorization  
24 ordinances, and the authorization, sale and issuance of all bonds and bond anticipation notes  
25 issued prior to the effective date of this Ordinance pursuant to the authority of such ordinances,  
26 including (without limitation) the various series of general obligation bonds and bond  
27 anticipation notes of Anne Arundel County, Maryland, set forth in Section 10 of Bill No. 57-08,  
28 Exhibit V of Bill No. 51-09, Exhibit V of Bill No. 53-10, Exhibit V of Bill No. 52-11, Exhibit V  
29 of Bill No. 60-12, Exhibit V of Bill No. 63-13 and, in addition, the indebtedness set forth in  
30 Exhibit V attached hereto and incorporated herein, including any Indenture, Dealer Agreement,  
31 Credit Facility or Issuing and Paying Agent Agreement executed and delivered in connection  
32 with any such bond anticipation notes (collectively, the "Prior Obligations"), be and they are  
33 hereby ratified and confirmed, and all such Prior Obligations, together with all and several of the  
34 terms thereof and the action taken in connection with the issuance, sale and delivery thereof, are  
35 hereby validated as being validly authorized, sold, issued and executed, as applicable, and  
36 delivered by Anne Arundel County, Maryland. The ratification of the Prior Obligations as set  
37 forth above shall be effective notwithstanding noncompliance with any provisions of the  
38 aforementioned ordinances that provide general fiscal or budgetary guidelines, such as provisions  
39 directing that specified portions of the Prior Obligations be issued during certain fiscal years.

40  
41 It is specifically intended that neither the authority granted by Bill No. 53-97, effective  
42 September 11, 1997, as amended, Bill No. 50-98, effective September 7, 1998, as amended, Bill  
43 No. 53-99, effective September 12, 1999, as amended, Bill No. 40-00, effective September 7,  
44 2000, as amended, Bill No. 57-01, effective November 5, 2001, as amended, Bill No. 65-02,  
45 effective November 3, 2002, Bill No. 40-03, as amended, effective September 8, 2003, Bill No.  
46 49-04, as amended, effective September 5, 2004, Bill No. 53-05, as amended, effective  
47 September 8, 2005, Bill No. 60-06, as amended, effective September 4, 2006, Bill No. 55-07, as  
48 amended, effective September 24, 2007, Bill No. 57-08, as amended, effective August 28, 2008,  
49 Bill 51-09, as amended, effective September 4, 2009, Bill No. 53-10, as amended, effective  
50 September 19, 2010, Bill No. 52-11, as amended, effective September 19, 2011, Bill No. 60-12,  
51 as amended, effective September 27, 2012, or Bill No. 63-13, as amended, effective November  
52 2, 2013 to issue bonds or bond anticipation notes authorized thereunder or to execute and deliver

1 an Indenture, Dealer Agreement, Credit Facility and Issuing and Paying Agent Agreement or to  
2 take other actions under Bill No. 53-97, Bill No. 50-98, Bill No. 53-99, Bill No. 40-00, Bill No.  
3 57-01, Bill No. 65-02, Bill No. 40-03, Bill No. 49-04, Bill No. 53-05, Bill No. 60-06, Bill No. 55-  
4 07, Bill No. 57-08, Bill No. 51-09, Bill No. 53-10, Bill No. 52-11, Bill No. 60-12, and Bill No.  
5 63-13, authorized in connection with issuance and delivery of bonds and bond anticipation notes,  
6 nor the validity of any proceedings or action taken or the validity of any bonds or bond  
7 anticipation notes issued shall be impaired in any manner by the passage of this Ordinance,  
8 provided (i) such bond anticipation notes are issued pursuant to and in accordance with that Note  
9 Order dated as of May 1, 1997, as amended or supplemented from time to time (the "Note  
10 Order") and (ii) such bonds are issued to pay such bond anticipation notes issued pursuant to and  
11 in accordance with the Note Order. With respect to bond anticipation notes issued and  
12 outstanding under Bill No. 53-97, as amended, or Bill No. 50-98, as amended, or Bill No. 53-99,  
13 as amended, or Bill No. 40-00, as amended, or Bill No. 57-01, as amended, or Bill No. 65-02, or  
14 Bill No. 40-03, as amended, or Bill No. 49-04, as amended, or Bill No. 53-05, as amended, Bill  
15 No. 60-06, as amended, or Bill No. 55-07, as amended, Bill No. 57-08, Bill No. 51-09, as  
16 amended, Bill No. 53-10, as amended, Bill No. 52-11, as amended, Bill No. 60.12, as amended,  
17 or Bill No. 63-13, as amended, and in accordance with the Note Order, and in the event bonds or  
18 bond anticipation notes subsequently are issued pursuant to Bill No. 53-97, as amended, Bill No.  
19 50-98, as amended, Bill No. 53-99, as amended, Bill No. 40-00, as amended, Bill No. 57-01, as  
20 amended, Bill No. 65-02, Bill No. 40-03, as amended, Bill No. 49-04, as amended, Bill No. 53-  
21 05, as amended, Bill No. 60-06, as amended, Bill No. 55-07, as amended, Bill No. 57-08, as  
22 amended, Bill No. 51-09 as amended, Bill No. 53-10, as amended, Bill No. 52-11, as amended,  
23 Bill No. 60-12, as amended, or Bill No. 63-13, as amended, appropriate reductions shall be  
24 recognized in the amounts of bonds or bond anticipation notes authorized to be issued for  
25 projects authorized to be financed hereunder that are financed by such bonds and notes issued  
26 under the authority of Bill No. 53-97, as amended, Bill No. 50-98, as amended, Bill No. 53-99, as  
27 amended, Bill No. 40-00, as amended, Bill No. 57-01, as amended, Bill No. 65-02, Bill No. 40-  
28 03, as amended, Bill No. 49-04, as amended, Bill No. 53-05, as amended, Bill No. 60-06, as  
29 amended, Bill No. 55-07, as amended, Bill No. 57-08, as amended, Bill No. 51-09, as amended,  
30 Bill No. 53-10, as amended, Bill No. 52-11, as amended, Bill No. 60-12, as amended, or Bill No.  
31 63-13, as amended.

32  
33 Bonds and bond anticipation notes may be issued under this Ordinance to pay bond  
34 anticipation notes issued pursuant to and in accordance with the Note Order provided that such  
35 bonds or bond anticipation notes are authorized to be issued hereunder for projects financed by  
36 such bond anticipation notes issued pursuant to and in accordance with the Note Order.

37  
38 SECTION 10. *And be it further enacted*, That, the County Council hereby affirmatively  
39 approves the exercise of eminent domain in the acquisition of any land parcels acquired for the  
40 projects hereinbefore described in this Ordinance.

41 SECTION 11. *And be it further enacted*, That, notwithstanding any other provisions of this  
42 Ordinance, in order (i) to comply with the bond registration requirements of, and to conform  
43 with, developing practices in the municipal bond market, including practices of bond registrars  
44 and paying agents, (ii) to facilitate generally the issuance and sale of general obligation bonds  
45 and bond anticipation notes by the County, including compliance with disclosure and similar  
46 requirements and (iii) insofar as possible, to simplify issuance procedures, the County Executive,  
47 or the Chief Administrative Officer if authorized by the County Executive, as the case may be, is  
48 hereby authorized (a) to apply the provisions of this Ordinance, (b) to make determinations and  
49 decisions required by this Ordinance, (c) to make such insertions, modifications and corrections  
50 to the forms of bonds, the forms of notes, form of notice of sale and form of proposal for bonds  
51 authorized hereby, including modifications to the method of publication in connection with the  
52 redemption of any bonds, (d) to enter into agreements on behalf of the County and (e) to take all

1 and any other actions under this Ordinance in the manner and to the extent that the County  
2 Executive or the Chief Administrative Officer, as the case may be, may deem necessary or  
3 appropriate to accomplish the stated purposes, taking into account the recommendations of bond  
4 counsel and financial advisor to the County, including the making of agreements to facilitate the  
5 foregoing.

6  
7 SECTION 12. *And be it further enacted*, That, the Budget Officer and the Controller are  
8 hereby designated as the authorized deputies of the Chief Administrative Officer for the purpose  
9 of authenticating any bonds or bond anticipation notes issued hereunder. In addition, the County  
10 Executive may deliver a written certificate at or prior to the time of the issuance of any bonds or  
11 bond anticipation notes issued hereunder designating such other person or persons as he shall  
12 deem appropriate as an authorized deputy or deputies of the Chief Administrative Officer for the  
13 purpose of authenticating any bonds or bond anticipation note issued hereunder.

14  
15 SECTION 13. *And be it further enacted*, That the County is hereby authorized to borrow  
16 money and incur indebtedness otherwise authorized to be borrowed and incurred hereunder in  
17 the form of bonds or bond anticipation notes by obtaining a loan (a "Water Quality Loan") from  
18 the Maryland Water Quality Financing Administration (the "Administration") pursuant to and in  
19 accordance with Sections 9-1601 to 9-1622, inclusive, of the Environment Article of the  
20 Annotated Code of Maryland (2007 Replacement Volume and 2013 Supplement) (the "Act").  
21 Such Water Quality Loans may be obtained by the County hereunder from time to time. Any  
22 such Loan shall be evidenced by a loan agreement (a "Water Quality Loan Agreement") between  
23 the County and the Administration and a bond issued by the County (a "Water Quality Bond").

24  
25 It is acknowledged that the proceeds of any Water Quality Loan will be used for the public  
26 purposes of financing a portion of the costs of acquiring, constructing and equipping certain  
27 wastewater facilities or water supply systems, each as defined in the Act (collectively, the  
28 "Water Quality Facilities"), including the development of property, the acquisition and  
29 installation of equipment and furnishings and any architectural, financial, legal, planning and  
30 engineering expenses. It is intended that the proceeds of any Water Quality Loan undertaken by  
31 the County pursuant to this Section 13 may be expended on the applicable Water Quality Facility  
32 and any related costs, including costs of the Administration and the funding of reserves, to the  
33 extent permitted by the Act and to the extent provided in the applicable Water Quality Loan  
34 Agreement or Water Quality Bond. It is acknowledged that Water Quality Facilities as defined  
35 above may include projects that the County classifies as wastewater projects, water projects or  
36 under some other classification.

37  
38 Unless otherwise provided in this Section 13, limitations, procedures or requirements set  
39 forth in this Ordinance for the issuance, sale and delivery of bonds or bond anticipation notes, as  
40 applicable, to the extent practicable, shall apply to obtaining any Water Quality Loan and to the  
41 execution and delivery of any Water Quality Loan Agreement or Water Quality Bond.

42  
43 The County Executive, or the Chief Administrative Officer, if authorized by the County  
44 Executive, is hereby authorized to approve the form of any Water Quality Loan Agreement or  
45 Water Quality Bond, the terms thereof, including the interest rate, maturity schedule, redemption  
46 provisions and covenants to be set forth therein, and the manner of executing and authenticating  
47 the same. The form of Water Quality Bond need not conform to the forms otherwise provided in  
48 this Ordinance.

49  
50 Notwithstanding any other provision to the contrary in this Ordinance:

1 (a) Any Water Quality Loan (including any Water Quality Loan Agreement and Water  
2 Quality Bond) need not be in denominations of \$5,000 or any integral multiple thereof, nor in a  
3 serial maturity format, provided, however, borrowings and evidences thereof shall be on an  
4 installment basis with annual principal payments beginning not more than two years from the  
5 date of issue;

6 (b) Any Water Quality Loan (including any Water Quality Loan Agreement and Water  
7 Quality Bond) may be sold at less than par and without regard to any limitation set forth in  
8 Section 2(1) hereof or Section 6(7) hereof, as applicable;

9 (c) Any Water Quality Loan (including any Water Quality Loan Agreement and Water  
10 Quality Bond) may provide for interest payments on other than a semiannual basis;

11 (d) Paying agents and registrars may be provided for in the discretion of the County  
12 Executive, or the Chief Administrative Officer, if authorized by the County Executive;

13 (e) The County is hereby authorized to sell any Water Quality Loan (including any Water  
14 Quality Loan Agreement and Water Quality Bond) at private (negotiated) sale to the  
15 Administration, public advertisement and sale of the same not being required by the terms of the  
16 Act and the best interests of the County being hereby declared to be served by such private sale;

17 (f) Provisions for the redemption of any Water Quality Loan (including any Water Quality  
18 Loan Agreement and Water Quality Bond) may be provided for in the discretion of the County  
19 Executive, or the Chief Administrative Officer, if authorized by the County Executive; and

20 (g) Any signature required in connection with the issuance and sale of any Water Quality  
21 Loan (including any Water Quality Loan Agreement and Water Quality Bond) may be manual  
22 and any affixing of the County Seal may be accomplished by impressing the same on the  
23 applicable document.

24 The County Executive, or the Chief Administrative Officer, if authorized by the County  
25 Executive, is hereby authorized to take any and all actions in the manner and to the extent that  
26 the County Executive or the Chief Administrative Officer, as the case may be, may deem  
27 necessary or appropriate to accomplish the purposes of this Section.

28 Any Water Quality Loan (including any Water Quality Loan Agreement and Water Quality  
29 Bond) shall be secured as provided in Section 2(6) of this Ordinance.

30 With respect to any Water Quality Loan authorized by this Section or by similar authority  
31 contained in a prior ordinance of the County, the County Executive, or the Chief Administrative  
32 Officer if authorized by the County Executive, may, in accordance with Paragraph 4 of Section II  
33 of the Findings of Fact, apply to any project authorized to be financed with a Water Quality Loan  
34 the balance remaining to any completed or abandoned project previously financed with the  
35 proceeds of a Water Quality Loan. In exercising such authority, the County Executive, or the  
36 Chief Administrative Officer if authorized by the County Executive, may enter into such  
37 amendments of Water Quality Loan Agreements and related documents as he deems necessary or  
38 appropriate in the exercise of the authority granted hereby. In lieu of applying the balance of any  
39 completed or abandoned project financed with a Water Quality Loan to new or additional  
40 projects, the County Executive, or the Chief Administrative Officer if authorized by the County  
41 Executive, may determine to prepay or otherwise effect a reduction in the stated principal  
42 amount or permitted maximum principal amount any such Water Quality Loan as permitted in  
43 the Water Quality Loan Agreement and the Water Quality Bond or as otherwise permitted and, in  
44  
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1 connection therewith, may take such action and make such amendments to the Water Quality  
2 Loan Agreement and Water Quality Bond as he deems necessary or appropriate to permit the  
3 reamortization of the principal amount outstanding and to effect such prepayment or reduction in  
4 stated principal amount.

5  
6 Following the execution and delivery of any written commitment specifying the material  
7 terms of any Water Quality Loan, or if no such written commitment is entered into, following the  
8 execution and delivery of any Water Quality Loan (including any Water Quality Loan  
9 Agreement and Water Quality Bond), the County Executive, or the Comptroller, if authorized by  
10 the County Executive, shall report the terms thereof in writing at the next meeting of the County  
11 Council.

12  
13 SECTION 14. *And be it further enacted*, that the County is hereby authorized to borrow  
14 money and incur indebtedness in a maximum aggregate principal amount of Five Million Two  
15 Hundred Eighty-Seven Thousand Eighty-Four Dollars (\$5,287,084), otherwise authorized to be  
16 borrowed or incurred hereunder in accordance with Section 12-902 of the Local Government  
17 Article of the Annotated Code of Maryland (2013 Replacement Volume). Section 12-902 of the  
18 Local Government Article of the Annotated Code of Maryland (2013 Replacement Volume)  
19 authorizes the County to enter into an agreement to purchase development rights (an "Installment  
20 Purchase Agreement") which is a general obligation of the County to which its full faith and  
21 credit and taxing power is pledged. Such pledge is hereby made subject to the limitation imposed  
22 by Section 710(d) of the County Charter.

23  
24 Each Installment Purchase Agreement shall be executed and delivered by the County to  
25 effect, together with direct cash payments, where applicable, the purchase by the County of  
26 development rights easements (the "Development Rights Easements") for the protection and  
27 preservation of agricultural land and woodlands in accordance with Sections 17-10-201 through  
28 17-10-212, inclusive, of the Subdivision and Development Article, of the Anne Arundel County  
29 Code (2005, as amended), as the same may be amended from time to time (the "Agricultural  
30 Land and Woodland Preservation Act").

31  
32 Properties for which the County intends to purchase Development Rights Easements shall be  
33 designated from time to time by resolution (an "Easement Schedule Resolution"). The Easement  
34 Schedule Resolution with respect to each Development Rights Easement to be purchased shall  
35 designate (i) the maximum purchase price for such Development Rights Easements, (ii) the  
36 maximum principal amount payable under the Installment Purchase Agreement pertaining to  
37 such Development Rights Easement and (iii) the provisions, terms, conditions and duration of  
38 such Installment Purchase Agreement.

39  
40 The County hereby determines that the issuance and sale of indebtedness in connection with  
41 the purchase by the County of Development Rights Easements is in the public interest.

42 The issuance of indebtedness authorized hereby pertains to the project designated in the  
43 County's capital budget as Agricultural Easement Program, Capital Project No. C443400.

44  
45 Unless otherwise provided in this Section 14, limitations, procedures or requirements set  
46 forth in this Ordinance for the issuance, sale and delivery of indebtedness shall apply to the  
47 issuance of any indebtedness under this Section 14 and to the execution and delivery of any  
48 Installment Purchase Agreement.

49  
50 The County Executive is hereby authorized to determine the form of Installment Purchase  
51 Agreements and the execution and delivery thereof shall be conclusive evidence of the approval  
52 of the form of such Installment Purchase Agreements on behalf of the County. Installment

1 Purchase Agreements shall be executed by the County Executive, and the seal of the County  
2 shall be affixed or imprinted thereon, attested by the Secretary to the County Executive. Each  
3 Installment Purchase Agreement, when properly executed and delivered in the manner prescribed  
4 for the execution and delivery of bonds in this Ordinance shall be deemed to constitute  
5 unconditional general obligations of the County, to the payment of which, in accordance with the  
6 terms thereof, its full faith and credit are pledged, and all the covenants and conditions contained  
7 in such Installment Purchase Agreements shall be deemed to be binding upon the County in  
8 accordance therewith. In accordance with Section 2-207(d) of the Agricultural Land and  
9 Woodland Preservation Act, it is hereby otherwise provided that payments of amounts payable  
10 under an Installment Purchase Agreement shall be payable in accordance with Section 2(6)  
11 hereof and shall not be required to be fully available or encumbered in the fiscal year that the  
12 Development Rights Easement relating to such Installment Purchase Agreement is purchased.

13  
14 Subject to and in accordance with the provisions of this Ordinance, the County Executive  
15 shall determine by order, for each and every Installment Purchase Agreement, all matters relating  
16 thereto, including (without limitation) the purposes for which such Installment Purchase  
17 Agreement is issued, the prepayment provisions, if any, thereof, the manner of authentication of  
18 such Installment Purchase Agreement, if any, the date from which interest on such Installment  
19 Purchase Agreement shall accrue, the rate or rates of interest borne by such Installment Purchase  
20 Agreement or the method of determining the same, the interest payment and maturity dates  
21 thereof, the denomination of the Installment Purchase Agreement, and the provisions for the  
22 registration of Installment Purchase Agreements.

23  
24 In making the determinations described above, the County Executive shall consider the  
25 recommendation of the Planning and Zoning Officer, or such officer as shall be designated by  
26 ordinance from time to time, with the advice of the Controller, concerning the appropriate terms  
27 of an Installment Purchase Agreement and the Officer's determination, with the advice of the  
28 Controller, that the face value of the Installment Purchase Agreement is less than or  
29 commensurate with the value of the Development Rights Easement based on an appraisal and  
30 taking into account the amount of any cash payment made by the County. Notwithstanding the  
31 foregoing, upon the execution and delivery of an Installment Purchase Agreement in the manner  
32 prescribed herein, such Installment Purchase Agreement shall constitute a binding general  
33 obligation of the County in accordance with its terms without regard to any determination,  
34 dispute or contrary assertion, report or finding regarding the value of the Development Rights  
35 Easement or Installment Purchase Agreement or the appropriateness of the terms set forth in any  
36 Installment Purchase Agreement.

37 Notwithstanding any other provision to the contrary in this Ordinance:

38  
39 (a) any indebtedness issued under this Section 14 may be sold in denominations as shall be  
40 prescribed by the County Executive by executive order as described above;

41  
42 (b) any indebtedness issued under this Section 14 may be sold at less than par and without  
43 regard to any limitation set forth in Section 2(1) hereof;

44  
45 (c) any indebtedness issued under this Section 14 may provide for interest payments other  
46 than on a semiannual basis;

47  
48 (d) the final maturity date of any Installment Purchase Agreement shall not be later than  
49 thirty (30) years from the date of the execution and delivery of such Installment Purchase  
50 Agreement;  
51  
52

1 (e) the maximum principal amount of each Installment Purchase Agreement executed and  
2 delivered by the County in connection with the County's purchase of a Development Rights  
3 Easement shall be the amount set forth in the Easement Schedule Resolution; provided, however,  
4 that the County Executive may by executive order as described above reduce such principal  
5 amount;

6 (f) Paying Agents and Registrars may be provided for in the discretion of the County  
7 Executive, or the Chief Administrative Officer, if authorized by the County Executive;

8 (g) the County is hereby authorized to sell any indebtedness issued under this Section 14 at  
9 private (negotiated) sale; and

10 (h) the Installment Purchase Agreements may be issued as a separate series of indebtedness.

11 The County Executive, or the Chief Administrative Officer, if authorized by the County  
12 Executive, is hereby authorized to take any and all actions in the manner and to the extent that  
13 the County Executive or the Chief Administrative Officer, as the case may be, may deem  
14 necessary or appropriate to accomplish the purposes of this Section 14.

15 Any indebtedness issued under this Section 14 shall be secured as provided in Section 2(6)  
16 of this Ordinance.

17 Following the execution and delivery of any Installment Purchase Agreement, the County  
18 Executive, or the Controller, if authorized by the County Executive, shall report the terms thereof  
19 in writing at the next meeting of the County Council.

20 SECTION 15. *And be it further enacted*, That the County is hereby authorized to borrow  
21 money and incur indebtedness for shore erosion control projects hereinafter specified by  
22 obtaining a loan (a "Shore Erosion Control Construction Loan") from the Shore Erosion Control  
23 Construction Loan Fund pursuant to and in accordance with Sections 8-1001 to 8-1008,  
24 inclusive, of the Natural Resources Article of the Annotated Code of Maryland (2007  
25 Replacement Volume and 2013 Supplement) (the "Soil Erosion Control Act"). Each Shore  
26 Erosion Control Construction Loan shall be evidenced by a loan agreement (a "Shore Erosion  
27 Control Construction Loan Agreement") between the County and the Department of Natural  
28 Resources ("DNR") in a form determined by order of the County Executive as hereinafter  
29 provided.

30 Shore Erosion Control Construction Loans may be repaid from benefit charges levied on  
31 benefited property and may be further secured by a pledge of the full faith and credit of the  
32 County, as determined by order of the County Executive as hereinafter provided. It is  
33 acknowledged and declared that the levy of any ad valorem taxes by the County to provide for  
34 repayment of the Shore Erosion Control Construction Loans shall be subject to the limitation on  
35 the tax levy set out in Section 710(d) of the County Charter.

36 Pursuant to and in accordance with requirements of this Ordinance and the Shore Erosion  
37 Control Act, the County Executive by order is hereby authorized to approve the form of any  
38 Shore Erosion Control Construction Loan Agreement, the terms thereof, including the source or  
39 sources and security for repayment, the repayment schedule and covenants to be set forth therein,  
40 and the manner of executing and authenticating the same. Pursuant to Section 8-1005(f) of the  
41 Soil Erosion Control Act, the County may borrow interest-free funds and repay the funds at a  
42 uniform rate over a period not exceeding 25 years.



1 The County Executive, or the Chief Administrative Officer, if authorized by the County  
2 Executive, is hereby authorized to take any and all actions in the manner and to the extent that  
3 the County Executive or the Chief Administrative Officer, as the case may be, may deem  
4 necessary or appropriate to accomplish the purposes of this Section.

5  
6 Without limitation, Shore Erosion Control Construction Loan Agreements by and between  
7 the County and DNR heretofore approved, are hereby approved and ratified, subject to reductions  
8 in loan amounts made in accordance with the respective loan agreements, as obligations of the  
9 County without further action.

10  
11 SECTION 16. *And be it further enacted*, That pursuant to the authority granted by Section  
12 19-103 of the Local Government Article of the Annotated Code of Maryland (2013 Replacement  
13 Volume), the County Executive, or the Chief Administrative Officer if authorized by the County  
14 Executive, is hereby authorized in connection with the issuance of any bonds or notes hereunder  
15 to (i) provide, covenant or agree that, in the event that sufficient funds for the timely payment  
16 when due of principal of or interest on bonds or notes issued pursuant to the authority of this  
17 Ordinance are not available or in the event of a default in the payment of the principal of or  
18 interest on such bonds or notes, the first general fund revenues of the County received thereafter  
19 shall be applied to the payment when due of such principal or interest or to cure such default, as  
20 the case may be, and (ii) pledge any of the County's revenues to the payment of the principal of  
21 and interest on the bonds and notes issued pursuant to the authority of this Ordinance. In the  
22 event that the County Executive, or the Chief Administrative Officer if authorized by the County  
23 Executive, determines to exercise all or any part of the authority granted under this Section, the  
24 County Executive, or the Chief Administrative Officer if authorized by the County Executive,  
25 shall determine the form, terms and provisions of any order, certificate, agreement or related  
26 documents as he shall deem necessary or appropriate to evidence any agreement or pledge  
27 authorized hereby, including (without limitation) terms and provisions regarding the application  
28 of such pledge or agreement to borrowings of the County other than bonds or notes issued  
29 pursuant to the authority of this Ordinance. Any such order, certificate, agreement or related  
30 document shall be executed by the County Executive and the seal of the County shall be  
31 impressed thereon, attested by the County Executive, the secretary to the County Executive, the  
32 Administrative Officer to the County Council or such other officer as may be specified by  
33 ordinance of the County Council.

34  
35 SECTION 17. *And be it further enacted*, That, as determined and specified in a certificate of  
36 the County Executive, or of the Chief Administrative Officer if authorized by the County  
37 Executive, executed and delivered prior to the issuance of bonds, notes or Variable Rate Demand  
38 Obligations, such bonds, notes or Variable Rate Demand Obligations may be issued to provide  
39 for the financing of one or more projects included within a specified class of projects set forth in  
40 Exhibit I. In addition, the amount of proceeds allocated to projects included within a specified  
41 class of projects financed by any issuance of bonds, notes or Variable Rate Demand Obligations  
42 may be amended after the issuance of such bonds, notes or Variable Rate Demand Obligations,  
43 as determined and specified in a certificate of the County Executive, or of the Chief  
44 Administrative Officer if authorized by the County Executive.

45  
46 In connection with the foregoing, the County Executive, or the Chief Administrative Officer  
47 if authorized by the County Executive, shall execute a certificate demonstrating or determining,  
48 as applicable:

49  
50 (a) That all bonds, notes or variable demand obligations are payable within the probable  
51 useful life of the improvement or undertaking being financed or, if the bonds, notes or variable

1 demand obligations are to be issued for several improvements or undertakings, then within the  
2 average probable useful life of all such improvements or undertakings being financed;

3  
4 (b) That the amount of bonds, notes or variable demand obligations to be applied to any  
5 project to be financed shall not exceed the maximum amount set forth in Exhibit I authorized for  
6 such project; and  
7

8 (c) Such other matters as the County Executive or the Chief Administrative Officer (as  
9 the case may be) deems appropriate to establish compliance with the provisions of the Charter  
10 and this Ordinance in connection with the issuance of bonds, notes and variable demand  
11 obligations to provide for the financing of one or more projects included within a specified class  
12 or to provide for the amendment of the list of projects from the specified class of projects  
13 financed by an issuance of bonds, note and variable demand obligations, as described above.  
14

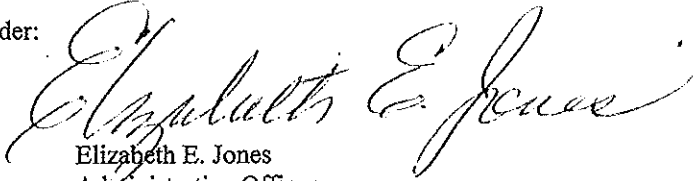
15 SECTION 18. *And be it further enacted*, That, if any one or more of the provisions of this  
16 Ordinance, including any covenants or agreements provided herein on the part of the County to  
17 be performed, should be contrary to law, then such provision or provisions shall be null and void  
18 and shall in no way affect the validity of the other provisions of this Ordinance or of the bonds or  
19 the bond anticipation notes.  
20

21 SECTION 19. *And be it further enacted*, That, this Ordinance shall take effect 45 days from  
22 the date it becomes law.

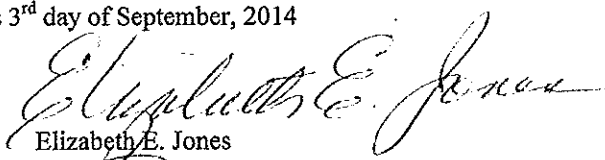
AMENDMENTS ADOPTED: September 2, 2014

READ AND PASSED this 2<sup>nd</sup> day of September, 2014

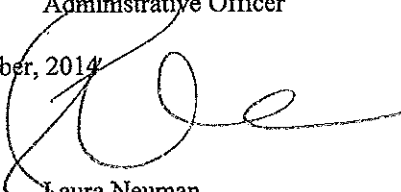
By Order:

  
Elizabeth E. Jones  
Administrative Officer

PRESENTED to the County Executive for her approval this 3<sup>rd</sup> day of September, 2014


  
Elizabeth E. Jones  
Administrative Officer

APPROVED AND ENACTED this 5<sup>th</sup> day of September, 2014

  
Laura Neuman  
County Executive

EFFECTIVE DATE: October 23, 2014

I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF BILL NO.  
55-14 THE ORIGINAL OF WHICH IS RETAINED IN THE FILES  
OF THE COUNTY COUNCIL.

  
Elizabeth E. Jones  
Administrative Officer